

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9188 of 2021

Biranchi Patra

....

Petitioner

Mr. B.P.Pradhan,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.S.K.Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
04.01.2022.

Order No.

- 01.
1. This matter is taken up through hybrid mode.
 2. Heard Mr. B.P.Pradhan, learned counsel for the Petitioner and Mr. S.K.Mishra, learned Addl. Standing Counsel for the State.
 3. The Petitioner is in custody since 19th August, 2021 in connection with Laxmisagar P.S. Case No.264/2021 pending in the court of learned Sessions Judge, Khurda corresponding to

T.R. Case No.369/2021 for the alleged commission of the offence under Sections 21 (c)/29 of the N.D.P.S.Act.

4. It is submitted by the learned counsel for the Petitioner that the Petitioner was implicated in this case entirely on the basis of the statement of the co-accused person from whom the contraband was seized.

5. Learned Addl. Standing Counsel for the State, on the other hand, has opposed the prayer for bail by submitting that there are materials on record to show that the Petitioner is also involved with the principal accused for selling and distributing brown sugar in Bhubaneswar.

6. Having regard to the submissions made, the materials on record, the period of detention already undergone and the ratio decided in the case of *Tofan Singh v. State of Tamil Nadu*; reported in (2020) 80 OCR (SC)-641, I am inclined to allow the prayer for bail.

7. Let the Petitioner- Biranchi Patra be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter including the condition that he shall appear before the trial court on each date of posting of the case without fail.

8. The BLAPL is disposed of.

9. Urgent certified copy of this order be granted on proper application.

AKB

(Sashikanta Mishra)
Judge

