

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL NO.10100 OF 2021

Prakash Dehury & Another

.... Petitioners

Mr. J. Behera, Advocate

-versus-

State of Odisha

.... Opposite Party

Mr. Karunakar Das, ASC.

CORAM:

MR. JUSTICE D.DASH

ORDER

20.01.2022

Order No.

01. 1. This matter is taken up through video conferencing mode.
2. The Petitioners being in custody in connection with Excise Station P.R. No.67 of 2021-22 corresponding to 2(a)C.C. Case No.09 of 2021 on the file of learned Special Judge-cum-Sessions Judge, Nayagarh running for commission of offence under section 20(b)(ii)(B) of the NDPS Act, have filed this application under section 439 of the Cr.P.C. for their release on bail in the above mentioned case.
3. Heard learned counsel for the Petitioners and learned counsel for the State.
4. Taking into account the submissions made; further keeping in view the materials on records as those stand against the Petitioners as also quantity of contraband and seized with other surrounding circumstances and taking into account the period of detention of the Petitioners in custody and on going

through the order passed by the learned Sessions Judge-cum-Special Judge; in the absence of any such impediment; it is directed that the Petitioners be released on bail in the aforesaid case on such terms and conditions as deemed just and proper by the court in seisin of the case with further conditions that:-

1. They will appear in person before the Court in seisin of the case on each date of posting of the case without fail; and
 2. will not indulge himself in commission of similar offences.
5. The BLAPL is accordingly disposed of.
6. As the restrictions due to resurgence of COVID-19 situation are continuing, learned Counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned Advocate, in the manner prescribed vide Court's Notice No.4587 dated 25th March, 2020 as modified by Court's Notice No.4798 dated 15th April, 2021 and Court's Office order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

(D.Dash)
Judge

Narayan