

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10188 of 2021

Pratap Kumar Swain

....

Petitioner

-versus-

State of Odisha

....

Opposite Party

CORAM: JUSTICE S.PUJAHARI

ORDER

31.03.2022

Order No.

01.

1. This matter is taken up through Hybrid mode.
2. Heard learned counsel for the Petitioner and learned counsel for the State.
3. The Petitioner being in custody in G.R. Case No.79 of 2016 arising out of Phiringia P.S. Case No.84 of 2016 pending in the court of learned Special Judge, Kandhamal at Phulbani, has filed this petition for his release on bail. The offences alleged against him are punishable under Sections 20(b)(ii)(C)/29 of the N.D.P.S Act.
4. It appears that the earlier prayer for bail of the Petitioner was rejected by this Court vide order dated 07.08.2019 in BLAPL No.2386 of 2017 by a reasoned order looking into the materials on record. The Petitioner has again approached this Court for his release on bail on the ground that similarly situated co-

accused persons have already been released on bail and the Petitioner is in custody since 30.06.2016.

5. Needless to say that this Court after scanning the materials available on record and looking into the nature of accusation and gravity of the offence and role played by the Petitioner had refused to release the Petitioner on bail. Since then there is no change in circumstance. Therefore, allowing this petition would tantamount to review of the earlier order passed without any apparent or cogent reason which is not permissible. Hence, the prayer for bail of the Petitioner on the aforesaid ground stands rejected.

6. However, the trial court shall do well to conclude the trial of the aforesaid case as expeditiously as possible, if there is no other legal impediment.

7. Accordingly, the BLAPL stands disposed of being dismissed.

(S. Pujahari)
Judge

PKS