

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10952 of 2021

Banabas Naik

....

Petitioners

Mr.Tukuna Kumar Mishra,*Advocate*

-versus-

State of Odisha

....

Opposite Party

Mr.K.K.Nayak, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

24.01.2022

Order No.

1. This matter is taken up through Video Conferencing mode.
2. This is an application under Section 439 of the Code of Criminal Procedure filed by the Petitioner for bail in connection with Orkel P.S.Case No.208 of 2021, corresponding to T.R.Case No.25 of 2021, pending in the Court of the learned Sessions Judge-cum-Special Judge, Raygada for alleged commission of offence under Section 20(b)(ii) (c) of N.D.P.S.Act.
3. It is submitted by the learned counsel for the Petitioner that the Petitioner does not have any criminal antecedents.
4. Upon consideration of the submissions made by the respective parties as well as on perusal of the records and considering the nature of allegation, I am inclined to release the Petitioner on bail in the above case, on furnishing a bail bond of Rs.30,000/- (Rupees Thirty thousand) with one solvent surety for the like amount to the satisfaction of the learned court in seisin over the matter subject to condition that the Petitioner shall not indulge in such type of offence

while on bail and shall appear before the concerned Police Station on every week preferably on Sunday between 10 A.M. and 1 P.M. till conclusion of the trial. Further, it is open to the court in seisin over the matter to impose any additional condition (s), if situation so warrants.

5. It is further directed that the bail granted to the Petitioner is subject to the conditions that learned court below shall verify whether the Petitioner has any criminal antecedents. In the event it is found that the Petitioner has any criminal antecedents, this bail order shall automatically stand revoked.

6. The BLAPL is accordingly disposed of.

7. As the restrictions due to resurgence of COVID -19 situation are continuing, learned counsel for the parties may utilize a print out 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, 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.

RKS

(A.K. Mohapatra)
Judge