

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10959 of 2021

Islam Miya

....

Petitioner

Mr.Rakesh Kumar Das,*Advocate*

-versus-

State of Odisha

....

Opposite Party

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

24.01.2022

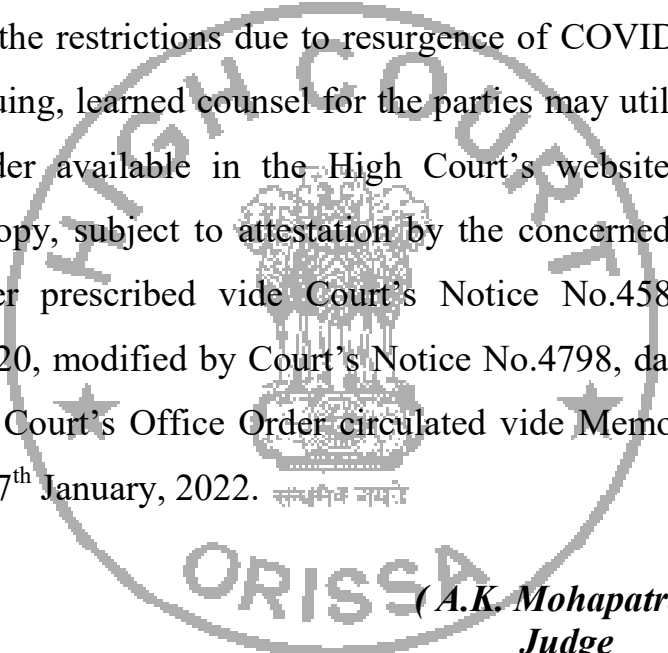
Order No.

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 Padampur P.S.Case No.74 of 2021, corresponding to T.R.Case No.87 of 2021, pending in the Court of the learned Additional Sessions Judge-cum-Special Judge, Gunupur for alleged commission of offence punishable under Sections 20(b) ii(c) of N.D.P.S.Act.
3. Upon consideration of the submissions made by the respective parties as well as on perusal of the records and on consideration of the peculiar facts and circumstances of the case and considering the fact that the petitioner is languishing in jail custody since 30.08.2021 I am inclined to release the Petitioner on bail in the above case, on furnishing a bail bond of Rs.50,000/- (Rupees Fifty thousand) with two local solvent sureties each 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.

4. 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 vent it is found that the Petitioner has any criminal antecedents, this bail order shall automatically stand revoked.

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 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. The seal of the High Court of Orissa is a circular emblem. It features a central figure, likely a deity or a historical figure, seated on a throne. The figure is surrounded by a wreath. The text 'HIGH COURT OF ORISSA' is written in a circular border around the central figure. Below the central figure, there is a line of text in Odia script: 'ସଂସଦିକ ନ୍ୟାୟାଳୟ'.

RKS

(*A.K. Mohapatra*)
Judge