

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11312 of 2021

Somanath Baral

....

Petitioner

Mr.A.S.Paul,*Advocate*

-versus-

State of Odisha

....

Opposite Party
Sk.Zafrulla, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

27.01.2022

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 Khordha P.S.Case No.477 of 2021, corresponding to T.R.Case No.153 of 2021, pending in the Court of the learned 1st Additional Sessions Judge-cum-Special Judge under NDPS Act, Khurda for alleged commission of offences under Sections 21(b)/29 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 24.11.2021, 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 one local 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. 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 condition 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.

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.

RKS

