

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11364 of 2021

Rama Chandra Maharana ***Petitioner***

Mr. Debasis Mishra, *Advocate.*

-versus-

State of Odisha ***Opp. Party***

Mr. M.K. Mohanty, A.S.C..

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

27.01.2022

Order No.

01. This matter is taken up through Video Conferencing mode.
2. This is an application under section 439 Cr.P.C. filed by the Petitioner for bail in connection with Excise EI & EB Unit-II(SD) Berhampur P.R.No.335 of 2021-22, corresponding to 2(a) C.C.Case No.03 of 2021 (NDPS) pending in the Court of the learned Additional Sessions Judge-cum-Special Judge, Bhanjanagar, for alleged commission of offences under Sections 20(b)(ii)(C) of N.D.P.S.Act .
4. Considering the submissions advanced on behalf of the respective parties and on perusal of the materials available on record and the fact that the Petitioner is languishing in jail custody since 09.11.2021, 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 of the matter with condition that he shall not indulge in any such criminal activities while on bail.

Further it is open to the Court in seisin of the matter to impose any other condition(s) as would be deemed fit and proper in the facts and circumstances of the case.

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

6. The bail application stands 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.

(*A.K. Mohapatra*)
Judge

RKS