IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11483 of 2024

Kashal Chandra Sahu …. ***Petitioner***

Mr. A. Tripathy, Advocate

-versus-

State of Odisha …. ***Opposite Party***

Mr. S. Panigrahi, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
17.12.2024

Order No.

07. 1. Heard learned counsel for the Petitioner and learned counsel for the State.

2. The Petitioner is an accused in connection with C.T. (SPL) Case No.85 of 2024 pending on the file of learned District & Sessions Judge, Bargarh arising out of **Bargarh Twon P.S. Case No.533 of 2024** for commission of offence alleged under Sections 276/277/111(4)/61(2) of BNS r/w Section 21(C)/25/29 of the NDPS Act.

3. Learned counsel, on instruction, submits that except the present BLAPL, no other bail application of the Petitioner relating to the aforementioned P.S. case is pending in any other Court.

4. Being aggrieved by the rejection of his application for bail U/s.483 of the Bharatiya Nagarik

Suraksha Sanhita (BNSS) by the learned District & Sessions Judge, Bargarh by order dated 22.10.2024 in the aforementioned case, the present BLAPL has been filed.

5. It is submitted by the learned counsel that the Petitioner is in custody since 24.09.2024 on the allegation that he is found to be involved in supply of 4475 nos. of Eskuf Cough Syrup bottles of 100 ml each, containing 895 gms of Codeine Phosphate.

6. It is further submitted by the learned counsel that the basis of implication of the Petitioner is on account of co-accused statement. Hence, he may be released on bail.

7. Learned counsel for the Petitioner submits that the co-accused from whose possession, the seizure has been affected, has been released on bail by order dated 16.12.2024 in BLAPL No.12336 of 2024.

8. Learned counsel for the Petitioner further submits that the co-accused, who is similarly circumstanced, has since been released on bail by this Court by orders dated 29.11.2024 & 13.12.2024 in BLAPL Nos.11413 & 11917 of 2024. Hence, he seeks release inter alia on the ground of parity.

9. Learned counsel for the State opposes the prayer for bail during the currency of investigation and in view of the criminal antecedent of the Petitioner.

10. Taking into account the manner in which the Petitioner has been implicated, release of the co-accused as noted and the progress in investigation, this Court directs the Petitioner to be released on bail on such terms to be fixed by the learned Court in seisin.

11. Additionally, it is directed that the Petitioner shall appear before the jurisdictional police station once every week on such date and time to be fixed by the learned Court in seisin till submission of final form. Certification of such appearance shall be submitted to the Court in seisin.

12. Accordingly, the BLAPL stands disposed of.

13. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge

Ayesha

Signature Not Verified
Digitally Signed
Signed by: AYESHA ROUT
Designation: Junior Stenographer
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 18-Dec-2024 18:31:59