IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11930 of 2024

Ugula @ Rakesh Kumar Singh … ***Petitioner***

Mr. A.S. Paul, Advocate

-versus-

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

Mr. A. Pradhan, APP

CORAM:
JUSTICE G. SATAPATHY

ORDER(ORAL)
23.12.2024

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).

2. This is the 2nd bail application U/S.483 of BNSS by the petitioner for grant of bail in connection with Info Valley P.S. Case No. 86 of 2023 corresponding to T.R. Case No.157 of 2023 pending in the file of learned 2nd Addl. District & Sessions Judge, Bhubaneswar for commission of offences punishable under Sections 20(b)(ii)(C) of the NDPS Act, on the allegation of transporting 22Kgs of Contraband Ganja in an Autorickshaw along with three other co-accused persons.

3. Mr. Amlan Shakti Paul, learned counsel for the petitioner at the outset submits that this is the 2nd bail application of the petitioner, but no bail application of the present petitioner is pending before any other forum except this one.

4. Heard, Mr. Amlan Shakti Paul, learned counsel for the petitioner and Mr. A. Pradhan, learned Addl. Public Prosecutor in the matter and perused the record.

5. After having considered the rival submission and taking into consideration the nature and gravity of the offence as alleged against the petitioner and regard being had to the pre-trial detention of the petitioner in custody since 18.03.2023 and taking into account the other circumstance on record in entirety including the allegation of transporting Contraband Ganja being directed against other three persons with the petitioner and last but not the least, the failure of the Investigating Agency to report any criminal antecedent against the petitioner and taking into account the release of co-accused persons namely Sushil Sethi @ Kanhu in BLAPL No.3388 of 2023, Kulu @ Dibya Ranjan Muduli in BLAPL No.3413 of 2023 and Netrananda Mallick @ Jogia in BLAPL No.3443 of 2023 on bail, this Court without expressing any view, admits the petitioner to bail by extending the principle of parity.

6. Hence, the bail application of the petitioner stands allowed and the petitioner is allowed to go on bail on furnishing bail bonds in the sum of Rs.1,00,000/- (Rupees One Lakh) only with two solvent sureties each for the like amount to the satisfaction of the learned Court in seisin of the case,

on such terms and conditions as deem fit and proper by it with following conditions:-

> *(i) the petitioner shall not commit any offence while on bail &*
>
> *(ii) the petitioner in the course of trial shall attend the trial Court on each date of posting without fail unless her attendance is dispensed with.* ***In case the Petitioner fails without sufficient cause to appear in the Court in accordance with the terms of the bail, the learned trial Court may proceed against the Petitioner for offence U/S.229-A of IPC in accordance with law.***
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> *(iii) the petitioner shall report attendance before the Jurisdictional Police Station once in a fortnight preferably on 2nd Sunday of each month in between 10 A.M. to 12 Noon for three (03) months from the actual date of release from the custody.*

The I.I.C. of Jurisdictional Police Station shall not detain the petitioner unnecessarily after recording his attendance beyond the time as stipulated.

It is clarified that the Court in seisin of the case will be at liberty to cancel the bail of the petitioner without further reference to this Court, if any of the above conditions are violated or a case for cancellation of bail is otherwise made out. In the wake of aforesaid, the subsequent involvement of the petitioner in future for any offence under NDPS Act

on prima facie accusations may be treated as a ground for cancellation of bail in this case.

7. Accordingly, the BLAPL stands disposed of.

8. Issue urgent certified copy of the order as per Rules.

(G. Satapathy)
Judge

S. Sasmal

Signature Not Verified
Digitally Signed
Signed by: SUBHASMITA SASMAL
Designation: Jr.Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 24-Dec-2024 12:43:58