



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11744 of 2024

Mukesh Kumar

...

Petitioner

Mr. J.K. Panda, Advocate

-versus-

State of Odisha

...

Opposite Party

Mr. B.P. Nayak, AGA

**CORAM:
JUSTICE G. SATAPATHY**

**ORDER(ORAL)
30.11.2024**

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is an application U/S.483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (in short, "BNSS") by the Petitioner for grant of bail in connection with Lacchipur P.S Case No.154 of 2024 corresponding to Special GR Case No.61 of 2024 pending in the Court of learned Special Judge, Sonapur for commission of offence punishable U/Ss. 20(b)(ii)(B)/25/29 of the NDPS Act, on the allegation of transporting 4 Kgs.500Gms of Contraband Ganja along with co-accused persons.
3. Heard Mr. Jugal Kishore Panda, learned counsel for the petitioner, Mr. B.P. Nayak, learned AGA and perused the record.
4. After having considered the rival submissions and taking into consideration the nature and gravity



of offence as alleged against the petitioner vis-à-vis the accusation sought to be brought against him and regard being had to the pre-trial detention of the petitioner in custody since 30.10.2024, this Court without expressing any opinion on merits of the case admits the petitioner to bail.

5. Hence, the bail application of the Petitioner stands allowed and the Petitioner is allowed to go on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty five Thousand) 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 and***

(iii) the petitioner shall not leave the territorial jurisdiction of the trial Court without prior permission till disposal of the case by intimating her present address of stay,

(iv) 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 any offence under NDPS Act on prima facie accusations may be treated as a ground for cancellation of bail in this case.

6. Accordingly, the BLAPL stands disposed of.
7. Issue urgent certified copy of the order as per Rules.

(G. Satapathy)
Judge

S. Sasmal

Signature Not Verified

Digitally Signed
Signed by: SUBHASHMITA SASMAL
Reason: Authentication
Location: High Court of Orissa
Date: 02-Dec-2024 10:54:57

