

Gopal Krishna Patra @ Gopalrusma vs Union Of India on 5 August, 2022

Bench: Uday Umesh Lalit, Aniruddha Bose, S. Ravindra Bhat

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IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1169 OF 2022
[@ out of SLP (CrI.) No.4789/2022]

GOPAL KRISHNA PATRA @ GOPALRUSMA

VERSUS

UNION OF INDIA

O R D E R

Leave granted.

This appeal challenges the judgment and order dated 25.01.2022 passed by the High Court Of Madhya Pradesh, Principal Seat at Jabalpur, in MCRC No.117/2022.

The appellant is in custody since 18.06.2020 in connection with crime registered as N.C.B. Crime No.02/2020 in respect of offences punishable under Sections 8, 20, 27-AA, 28 read with 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985¹ The application seeking relief of bail having been rejected, the instant appeal has been filed.

We have heard Mr. Ashok Kumar Panda, learned Senior Advocate in support of the appeal and Mr. Sanjay Jain, learned Additional Solicitor General for the respondent.

Considering the facts and circumstances on record and the 1 “NDPS” Act length of custody undergone by the appellant, in our view the case for bail is made out.

We therefore, direct that:

(a) The appellant shall be produced before the Trial Court within five days from today.

(b) The Trial Court shall release the appellant on bail subject to such conditions as the Trial Court may deem appropriate to impose.

(c) The appellant shall not in any manner misuse his liberty.

(d) Any infraction shall entail in withdrawal of the benefit granted by this Order.

The appeal is allowed in aforesaid terms.

.....J. (UDAY UMESH LALIT)J.
(ANIRUDDHA BOSE)J. (S. RAVINDRA BHAT) New Delhi, August 5,
2022 ITEM NO.31 COURT NO.2 SECTION II-A S U P R E M E C O U R T O F I N D I A RECORD
OF PROCEEDINGS Petition(s) for Special Leave to Appeal (Crl.) No(s). 4789/2022 (Arising out of
impugned final judgment and order dated 25-01-2022 in MCRC No. 117/2022 passed by the High
Court of M.P. Principal Seat at Jabalpur) GOPAL KRISHNA PATRA @ GOPALRUSMA Petitioner(s)
VERSUS UNION OF INDIA Respondent(s) (IA No. 74386/2022 - EXEMPTION FROM FILING C/C
OF THE IMPUGNED JUDGMENT; IA No. 74389/2022 - EXEMPTION FROM FILING O.T.) Date :
05-08-2022 This matter was called on for hearing today. CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT HON'BLE MR. JUSTICE
ANIRUDDHA BOSE HON'BLE MR. JUSTICE S. RAVINDRA BHAT For Petitioner(s)
Mr. Ashok Kumar Panda, Sr. Adv.

Mr. Shashwat Panda, Adv.

Mr. Tejaswi Kumar Pradhan, AOR For Respondent(s) Mr. Sanjay Jain, ASG Mr.
Rajan Kr.Chourasia, Adv. Mr.Padmash Mishra, Adv.

Mr. Anukalp Jain, Adv.

Mr. Arvind Kumar Sharma, AOR UPON hearing the counsel the Court made the
following O R D E R Leave granted.

The appeal is allowed in terms of the signed order. Pending applications, if any, shall
stand disposed of. (INDU MARWAH) (ANITA RANI AHUJA) COURT MASTER (SH)
ASSISTANT REGISTRAR (SIGNED ORDER IS PLACED ON THE FILE)