

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.89 of 2022

Jai Prakash Patel

....

Petitioner

Mr. A.N.Pattanayak
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.P. K.Maharaj,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
20.6.2022.

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. The Petitioner is in custody since 3rd April, 2021 in connection with Machhakund P.S. Case No.33/2021 corresponding to T.R. Case No.37/2021 pending in the court of learned Addl. Sessions Judge-cum-Special Judge, Koraput for the alleged commission of the offence under Section 20 (b) (ii) (C) of the NDPS Act.
4. It is alleged that the Petitioner was carrying contraband ganja weighing 73 kgs.700 grams in a Maruti Suzuki Swift Car when he was apprehended by Police. It is submitted that the

Petitioner had no complicity in the alleged crime and the entire case has been foisted against him by the Police falsely.

5. Considering the submissions made, the materials on record and the fact that the Petitioner has been detained in custody for more than one year two months without commencement of trial, I am inclined to allow the prayer for bail. Let the Petitioner be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case including the condition that he shall appear before the trial court on each date of posting of the case and in case of even a single default, necessary orders shall be passed by the court to take him to custody again. Further, he shall furnish cash security of Rs.1,00,000/-(Rupees one Lakh) in the shape of short term fixed deposit in any nationalised Bank being pledged to the Court below. He shall not leave the territorial jurisdiction of the court without obtaining leave and in case leave is granted, the Petitioner shall furnish his current address and mobile number to the Court and the I.O.

6. The BLAPL is disposed of.

7. Urgent certified copy of this order be granted on proper application.

AKB

(Sashikanta Mishra)
Judge

