

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.312 of 2022

Khageswar Kanhar and another ***Petitioners***

Mr. A. Das
Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr.Sitikanta Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

24.6.2022.

Order No.

01. 1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioners and learned Addl. Standing Counsel for the State.
3. The Petitioners are in custody since 4th October, 2021 in connection with K. Nuagaon P.S. Case No.68/2021 corresponding to C.T. Case No.56/2021 pending in the court of learned Addl. Sessions Judge, Balilguda for the alleged commission of the offence under Section 20 (b) (ii) (C)/29 of the NDPS Act.

4. It is alleged that the Petitioners and another person were in possession of contraband ganja weighing 50 kgs. 300 grams when they were apprehended by Police. It is submitted that the statutory formality relating to search and seizure has not been followed. Moreover the mode of weighment of the contraband article is also doubtful.

5. Considering the submissions made, the materials on record and the period of detention of the Petitioners in custody, I am inclined to allow the prayer for bail. Let the Petitioners 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 they 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 them to custody again.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge