

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.362 of 2022

Safikul Mandal and others

....

Petitioners

Mr. A. Parvez
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.P. Tripathy,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

22.3.2022.

Order No.

03.

1. This matter is taken up through virtual mode.
2. Heard learned counsel for the Petitioners and learned Addl. Standing Counsel for the State.
3. The Petitioners are in custody since 25th November, 2021 in connection with P.R. No.45/2021-22 corresponding to 2(a)C.C. No.4/2021 pending in the court of learned Ist Addl. Sessions Judge-cum-Special Judge, Baripada for the alleged commission of the offence under Sections 20 (b)(ii)(C) of the NDPS Act.

4. Though the seized contraband is said to be a little more than the commercial quantity, yet it is submitted that there is discrepancy relating to the actual weight of the contraband seized inasmuch as the weight of the bags, in which the contraband was kept, has actually not been excluded though mentioned in the prosecution report. In any case, the contraband seized is only 20.300 kgs.

5. Having regard to the submissions made, the materials on record and the period of detention in custody, I am inclined to allow the prayer for bail.

6. 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 without fail.

7. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

