

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 772 of 2022

Rabi Sahu@Rabindra

....

Petitioner

*Mr. M. Kanungo,
Sr. Advocate*

-Versus -

State of Odisha

Opposite Party

....

*Mr. P.Tripathy,
Additional Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

**ORDER
29.07.2022**

**Order No.
3.**

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is in custody since 11.11.2021 in connection with Gochhapada P.S. Case No. 46 of 2020 corresponding to C.T. Case NO. 41-A/2020 pending in the Court of learned District & Sessions Judge-cum-Special Judge, Phulbani for the alleged commission of offence under Sections 20(b)(ii)(C) of NDPS Act.
4. It is alleged that huge quantity of ganja, i.e., 850 kgs was recovered from the house of one Narottam Palia. It is stated that they were other persons present at the spot, but on seeing the police, they ran away. While in police custody, the said Narottam Palia is said to have disclosed the name of the present petitioner as being one of the said persons. Fact remains that the contraband was seized from the house premises of Narottam Palia. There is no other

independent material showing the involvement of the petitioner in the alleged occurrence. Therefore, even though a huge amount of ganja was recovered, yet in the absence of prima facie materials to show the complicity of the petitioner in the occurrence, I am inclined to allow the prayer for bail. Let the petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition he shall appear before the IIC of Gochhapada police station on every Sunday at 10.00 a.m. for a period of one year or till conclusion of the trial whichever is earlier.

5. The BLAPL is accordingly disposed of.

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

(Sashikanta Mishra)
Judge

