

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 775 of 2022

Nilakanta Behera

....

Petitioner

Mr. S.K. Bhanjadeo, Advocate

- Versus -

State of Odisha

....

Opposite Party

Mr. S.K. Mishra, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

20.04.2022

Order No.

2.

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 30.12.2021 in connection with EI & EB Unit-1 Cuttack P.R. No. 208/2021 corresponding to 2(a)CC Case No.61 of 2021 pending in the Court of learned District and Sessions Judge-cum-Special Judge, NDPS, Cuttack for the alleged commission of offence under Sections 20(b)(ii)(C) of NDPS Act.
4. The allegation is that the petitioner was the driver of the TATA Sumo vehicle in which 40 kgs of ganja was being transported.
5. It is submitted by learned counsel for the petitioner that the petitioner is simply the driver of the vehicle which was taken on hire by the other two occupants and he had no knowledge or information about the contents of the jerry bags being carried by them.
6. Considering the submissions as above, the materials on record and the period of detention in custody, I am to 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 that he shall appear before the trial Court on each date of posting of the case without fail.

7. BLAPL is accordingly disposed of.

8. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

