

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 929 of 2022

Filu@Biswaprakash Nayak ... ***Petitioner***
Mr. B.K. Das, Advocate

- Versus -

State of Odisha ... ***Opposite Party***
Mr. M.R. Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
16.09.2022

Order No.
4.

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. This is the second journey of the petitioner to this Court after rejection of his earlier bail application bearing BLAPL No. 2327 of 2022.
4. The petitioner is in custody in connection with Ersama P.S. Case No.231 of 2021 corresponding to Special G.R. Case No.63 of 2021 of the Court of learned Additional District and Sessions Judge, Kujang for the alleged commission of offence under Sections 21(C)/29 of NDPS Act.
5. It is submitted that in the meantime one of the co-accused persons has already been released on bail. As it appears from the record, the petitioner was in possession of 259 grams of brown sugar when he was apprehended by police. It is submitted that the mandatory statutory formalities were not complied and the

method of weighing of the seized article is also questionable.

6. Having regard to the submissions made, the materials on record and the period of detention already undergone, 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 that he shall personally appear before the trial court on each date of posting of the case without fail.

7. The BLAPL is accordingly disposed of.

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

(Sashikanta Mishra)
Judge



B.C. Tudu