

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 955 of 2022

Pradeep Kumar Malli

....

Petitioner

Mr. A.N. Pattanayak, Advocate

- Versus -

State of Odisha

.... **Opposite Party**

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

15.07.2022

Order No.

3.

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 02.12.2019 in connection with Baipariguda P.S. Case No.171 of 2019 corresponding to T.R. Case No.77 of 2019 pending in the Court of learned Addl. Sessions Judge-cum- Special Judge, Jeypore for the alleged commission of offence under Sections 20(b)(ii)(C) of NDPS Act.
4. It is alleged that the petitioner was in possession of the contraband ganja weighing 48 Kg when he was apprehended by police.
5. 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. It is further submitted that the petitioner despite being in custody for nearly two years seven months, trial is yet to commence in the case.
6. Considering the submissions as above and the long period of detention of the petitioner in custody without commencement of trial, 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 she shall personally 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

