

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No. 1054 of 2022**

**Krusta Khilla**

....

**Petitioner**

Mr. P.K. Nanda, Advocate

- Versus -

**State of Odisha**

....

**Opp.Party**

Mr. P.K. Tripathy,  
Addl. Standing Counsel

**CORAM:**

**JUSTICE SASHIKANTA MISHRA**

**ORDER**

**22.09.2022**

**Order No.**

**04.**

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 26.10.2020 in connection with Orkel P.S. Case No.183 of 2020 corresponding to T.R. Case No.133 of 2020 pending in the Court of learned Sessions Judge-cum-Special Judge, Malkangiri for the alleged commission of offence under Sections 20(b)(ii)(C) of NDPS Act.
4. It is alleged that the petitioner and another person were in possession of contraband ganja weighing 88 Kg 500 grams when they were apprehended by police. 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 one of the co-accused, who stands on the same footing, namely, Damu Bhimia has been released on bail as per order passed by this Court in BLAPL No. 1386 of 2021.
5. Considering the above facts and taking into account the long period of detention of the petitioner in custody without

commencement of trial, I am inclined to allow the prayer for bail. 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 and in case of even a single default, necessary orders shall be passed by the Court below to take him to custody again.

6. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

*A.K. Rana*

**(Sashikanta Mishra)**  
**Judge**

