

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 1128 of 2022

Rama Chandra Bagh @ Chandra Bagh **Petitioner**

Ms. S. Jena, Adv.

- Versus -

State of Odisha **Opposite party**

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:
JUSTICE SASHIKANTA MISHRA

ORDER
30.09.2022

Order No.
07.

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 01.05.2021 having been remanded in connection with Semiliguda P.S. Case No.27 of 2021 corresponding to T.R. Case No.24 of 2021 pending in the Court of learned Addl. Sessions Judge-cum-Special Judge, Koraput for the alleged commission of offence under Sections 20(b)(ii)(C)/29 of NDPS Act.
4. The prosecution case is that the contraband ganja weighing 1145 Kg was being transported in a Bolero vehicle and in a 10 wheeler full body truck when it was apprehended by police. Four persons were apprehended. During interrogation, they disclosed that they had procured the ganja from one Chhuta of Padua area and the present petitioner. There is no other evidence showing recovery of the contraband from the exclusive or conscious possession of the petitioner. There is also no material to show his presence at the spot. He was implicated only on the basis of the statement of the co-accused persons

5. Considering the above facts 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 following conditions:

(i) He shall appear before the IIC of Semilliguda Police Station on every Sunday at 10 a.m. for a period of one year and such fact shall be certified by the IIC to the concerned Court in every month.

(ii) He shall not leave the territorial jurisdiction of this Court without obtaining leave.

(iii) He shall personally appear before the court below on each date of posting of the case and in case of even single default necessary orders shall be passed by the Court below to take him to custody again.

(iv) In case of violation of any of the conditions, the order of this Court shall be treated as automatically cancelled.

6. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana