

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 1244 of 2022

Sitaram Khatua

...

Petitioner

Mr. A. Das, Advocate

- Versus -

State of Odisha

...

Opposite Party

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

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

22.02.2022

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 in connection with Ulunda P.S. Case No.16 of 2019 corresponding to Spl. G.R. Case No.1/2019 pending in the Court of learned Sessions Judge-cum-Special Judge, Sonepur for the alleged commission of offence under Section 20(b)(ii)(C) of NDPS Act.
4. The prosecution case is that on the date of occurrence, information was received at the Police Station that a white colour Indigo CS car was standing being abandoned. On search, ganja weighing 23.400 grams was found from the car.
5. It is submitted by learned counsel for the petitioner that since nothing was seized from the exclusive and conscious possession of the petitioner and that he was implicated only on suspicion, he may be released on bail.

6. Learned Addl. Standing Counsel has opposed the prayer for bail by submitting that the quantity of ganja seized is more than commercial quantity.

7. Having regard to the submissions as above and the fact that nothing was seized from the possession of the petitioner as also the fact that charge sheet has been submitted in the case in the meantime, 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.

8. BLAPL is accordingly disposed of.

9. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

