

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 1278 of 2022

Sana @ Sanatan Kar

....

Petitioner

Mr. R.N. Biswal, Advocate

-Versus -

State of Odisha

....

Opposite Party

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

26.07.2022

Order No.
05.

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 10.11.2021 in connection with Chauliaganj P.S. Case No.425 of 2021 corresponding to Spl. G.R. Case No.30 of 2021 pending in the Court of learned District and Sessions Judge, Cuttack 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 transporting contraband ganja weighing 30 kg in his scooty while they were 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 despite the fact that the petitioner has been in custody for more than eight months by now trial is yet to commence. It is further submitted that the co-accused, namely, Kuna Kar has in the meantime been released on bail

as per order passed by this court in BLAPL No. 11124 of 2021.

6. 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 condition that he 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

A.K. Rana



(Sashikanta Mishra)
Judge