

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 1554 of 2022

Babul Hantal @ Purna

....

Petitioner

Ms. P. Naidu, Adv.

- Versus -

State of Odisha

....

Opp.Party

Mr. S.K. Mishra,

Addl. Standing Counsel.

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

06.09.2022

Order No.
02.

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 11.04.2021 in connection with P.R. No. 11 of 2021-22 corresponding to Special 2(a)CC Case No.23 of 2021 pending in the Court of learned 3rd Additional Sessions Judge, Berhampur for the alleged commission of offence under Sections 20(b)(ii)(C) of NDPS Act.
4. It is alleged that the petitioner was carrying a bag containing 37 Kg of contraband ganja when he was apprehended by the excise staff. 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.
5. Considering the submissions, materials on record and the period of detention in custody, 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 the posting of the case without fail.

6. BLAPL is accordingly disposed of.
7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

