

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 1701 of 2022

Samir Khan

...

Petitioner

Mr. S. Dwibedi, Advocate

- Versus -

State of Odisha

...

Opposite Party

*Mr. M.R. Mishra,
Addl. Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

16.09.2022

Order No.

3.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is in custody since 11.09.2021 in connection with Jaleswar P.S. Case No. 297 of 2021 corresponding to Special Case No. 235 of 2021 of the Court of learned Special Judge, Balasore for the alleged commission of offence under Sections 21 (C) of the NDPS Act.
4. It is alleged the petitioner was in possession of contraband brown sugar weighing 262.10 grams when he was apprehended by police. It is submitted that the statutory formalities were not complied before search and seizure and the method of weighment of the seized article is also questionable.
5. Considering the above facts and the period of detention in custody without trial, 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.

6. The BLAPL is accordingly disposed of.

7. Urgent certified copy of this order be granted on proper application.

(Sashikanta Mishra)
Judge

B.C. Tudu

