

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2008 of 2022

Khirod Kumar Sahoo

....

Petitioner

Mr. S. Mohanty
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S.K.Mishra
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
11.5.2022.

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 14th November, 2021 in connection with Laxmisagar P.S. Case No.352/2021 corresponding to T.R. Case No.503/2021 pending in the court of learned District and Sessions Judge (K), Bhubaneswar for the alleged commission of the offence under Sections 21 (C) of the NDPS Act.
4. The prosecution allegation is that the Petitioner was in possession of brown sugar weighing 260 grams when he was

apprehended by the local public and on further information, Police came to the spot and found him surrounded by different persons. It is submitted that in view of the circumstances relating to the alleged seizure, it is doubtful whether brown sugar was seized from the exclusive and conscious possession of the Petitioner. In any event, the mandatory statutory requirements have not been complied with.

5. Considering the above facts and taking into account the period of detention in custody without commencement of trial, I am inclined to allow the prayer for bail. Let the Petitioner be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case including the condition that he shall appear before the court below on each date of posting of the case without fail. Further, he shall appear before the I.I.C. of Laxmisagar P.S. on every Monday at 10 A.M. for a period of six months and such fact shall be certified by the I.I.C. to the concerned Court once every month.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

