

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 2061 of 2022

Upendra Bredeka

....

Petitioner

*Mr. M.M. Swain,
Advocate*

-Versus -

State of Odisha

....

Opposite Party

*Mr. A. Pradhan,
Additional Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

28.03.2022

Order No.

1.

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 18.12.2021 in connection with P.R. Case No.175 of 2021-22 corresponding to T.R. Case No.125 of 2021 pending in the court of Addl. Sessions Judge-cum-Special Judge, Gunupur for the alleged commission of offence under Sections 20(b)(ii)C of NDPS Act.
4. As it appears, the prosecution allegation is that the petitioner was attempting to carry the packets of Ganja towards his house when he was caught. It is submitted that the petitioner is a poor tribal and had absolutely nothing to do with the alleged occurrence and in any case nothing was seized from his possession.
5. Since this Court finds that except for the allegation that the petitioner was making an attempt to carry the contraband to his house, there is no other material to show that he was involved in the

alleged occurrence, 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,Swain