

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 2221 of 2022

Buta Singh

....

Petitioner

Mr. D. Nayak, Sr. Advocate along with
Mr. B.K. Das, Advocate

- Versus -

Union of India

....

Opposite Party

Mr. G. Mohanty, Sr. Panel Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
30.03.2022

Order No.

2.

1. This matter is taken up through hybrid mode.
2. Heard Mr. D. Nayak, learned Senior Counsel with Mr. B.K. Das, learned counsel for the petitioner and learned Addl. Standing Counsel for the State.
3. The petitioner is in custody since 04.01.2022 in connection with NCB Crime No.02 of 2021 corresponding to Special G.R. Case No.12 of 2021 pending in the Court of learned Sessions Judge-cum- Judge, Special Court, Deogarh for the alleged commission of offence under Sections 20(b)(ii)(C)/25/28/29 of NDPS Act.
4. The prosecution case is that a team of NCB apprehended a truck near Thianal Bus stand on Mumbai-Kolkata Highway in Angul district. On search, it was found that 280 Kgs of contraband ganja was kept therein. The driver of the truck is said to have fled away but the khalasi was apprehended. On interrogation by the NCB team, the said khalasi is said to have stated that the present petitioner is the associate of one Akhtar Khan, who is the owner of the ganja. On such basis, notice under Section 67 of NDPS Act was

issued which he did not honour, for which a complaint was filed. Thereafter on the strength of NBW issued by the Court below, the petitioner was taken into custody. As it appears except for the statement of the co-accused, there is no other material to show the involvement of the petitioner in the occurrence.

5. In such view of the matter, 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 following condition:

(i) He shall furnish cash security of Rs.50,000/- (Rupees Fifty Thousand only) and

(ii) He shall appear before the Superintendent of NCB, Sub-Zone Office, Bhubaneswar once every month till commencement of the trial and thereafter he shall appear before the trial Court on each date of posting of the case.

6. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana