

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2290 of 2022

Tapan Digal

....

Petitioner

Mr. S.K.Mishra
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.P. Tripathy,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

04.4.2022.

Order No.

01.

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 18th January, 2022 in connection with Kantamal P.S. Case No.88/2021 corresponding to C.T. Case No.316/2021 pending in the court of learned Addl. Sessions Judge-cum-Special Judge, Kantamal for the alleged commission of the offence under Sections 20 (b)(ii) (C)/29 of the N.D.P.S. Act.
4. As it appears that the occurrence took place on 12th July, 2021 and basing on the statement of the co-accused person, the Petitioner was taken to custody almost after five months.

Though it is stated that the Petitioner was also travelling in the same vehicle along with other co-accused persons and fled away on seeing the Police, yet without any direct or indirect material supporting the same, it becomes difficult for the Court to rely upon the version of the co-accused only.

5. Having regard to the above facts, the period of detention in custody, and the fact that charge sheet has already been submitted in the case, I am inclined to allow the prayer for bail.

6. 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 conditions that he shall furnish cash security of Rs.30,000/-(Rupees Thirty Thousand), and he shall appear personally before the trial court on each date of posting of the case, failing which it shall be open to the said court to pass necessary orders to take him to custody again.

7. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

