

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.1860 of 2021

Amal Dey

.... Petitioner

Mr. N.R.Sahoo
Advocate

-versus-

State of Odisha

.... Opposite Party

Mr.P. Tripathy,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

08.8.2022.

Order No.

12.

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 12th February, 2021 in connection with Malkangiri P.S. Case No.229/2022 corresponding to T.R. Case No.113/2019 pending in the court of learned Sessions Judge-Special Judge, Malkangiri for the alleged commission of the offence under Section 20 (b) (ii) (C)/27-A of the NDPS Act.

4. It is alleged that four persons were transporting contraband ganja weighing about one quintal when they were apprehended and in course of interrogation, they disclosed the name of the present Petitioner and one Jagdish Kuldip as being the financiers of the entire transaction. On perusal of the F.I.R., this Court finds considerable force on the submissions of the learned counsel for the Petitioner that apart from the confessional statement made by one of the co-accused, there is no other independent material to show the complicity of the Petitioner in the alleged occurrence.

5. Considering the above submissions as also taking into consideration the period of detention of the Petitioner in custody, 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 trial court on each date of posting of the case and in case of even a single default, necessary orders shall be passed by the court to take him to custody again.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

