

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2325 of 2022

Dharanidhar Mahana

....

Petitioner

Mr. D.K.Patra,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S.K.Mishra,
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 1st October, 2021 in connection with P.R. No.54/2021-2022 corresponding to 2(a) C.C. Case No.10/2021 pending in the court of learned Special Judge, Sonapur for the alleged commission of the offence under Section 20(b)(ii)(C) of the N.D.P.S. Act.

4. The allegation is that the Petitioner along with two other persons were apprehended and contraband ganja weighing 23 kg 100 grams was seized from their possession. As it appears, the Petitioner is an old man, aged about 70 years and there are some doubts as regards the exact quantity of contraband seized inasmuch as, as per the prosecution case, the entire contraband includes flowers, fruits, seeds, leaves, etc.

5. Having regard to the above facts, the materials on record and the period of detention 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 court below on each date of posting of the case and in case of any single default, the said court shall pass appropriate orders 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

