

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 2367 of 2022

**Dhannu Bhatt @ Dhannu @
Mandawi**

....

Petitioner

Mr. S. Panda, Advocate

- Versus -

State of Odisha

.... **Opposite Party**

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

04.04.2022

Order No.

1.

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 06.08.2021 in connection with Jagdalpur P.S. Case No.101 of 2021 corresponding to Spl. G.R. Case No.57 of 2021 pending in the Court of learned Addl. Sessions Judge-cum-Special Judge, Padampur for the alleged commission of offence under Section 20(b)(ii)(C) of NDPS Act.
4. Though the prosecution allegation is that the petitioner was apprehended while he was in possession of contraband ganja, yet it is submitted that the petitioner is not the owner of the motorcycle in which the ganja was said to have been transported. From the FIR itself it reveals that the motorcycle was registered in the name of Sanju Deep, that apart it is submitted that the allegation that the petitioner was running away from the spot and was apprehended after a chase, is not supported by any materials on record.
5. Having regard to the above facts, 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) the Court shall insist on two sureties belonging to the district of Bargarh;
 - (ii) he shall furnish cash security of Rs.50,000/- (Rupees Fifty Thousand); and
 - (iii) he shall not leave the territorial jurisdiction of the Court without obtaining leave of the said Court.
6. BLAPL is accordingly disposed of.
7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

