

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2408 of 2022

Asim Biswas

.... *Petitioner*

Mr. R.L.Pattnaik,
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 22nd June, 2018 in connection with Malkangiri P.S. Case No.99/2018 corresponding to T.R. Case No.62/2018 pending in the court of learned Sessions Judge-cum-Special Judge, Malkangiri for the alleged commission of the offence under Section 20(b)(ii)(C) of NDPS Act.

4. The allegation against the Petitioner is that he along with one Kabita Mandal were apprehended while they were carrying 27 kgs. 800 grams of ganja. It is submitted that nothing was seized from the Petitioner and that he has been implicated only on suspicion. That apart, there has been undue delay in concluding the trial. The Petitioner is in custody for nearly four years by now and the trial, though commenced, is not likely to conclude in the near future.

5. Considering 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 without fail.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

