

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 2409 of 2022

**Jayasingh Dighal @ Jayasingh Dighal Petitioners
and others**

Mr. A. Tripathy, 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 petitioners and learned Addl. Standing Counsel for the State.
3. The petitioners are in custody since 25.01.2022 in connection with Nayagarh P.S. Case No.09 of 2022 corresponding to Special G.R. Case No.11 of 2022, now pending in the Court of learned Special Judge, Nayagarh for the alleged commission of offence under Sections 20(b)(ii)(C)/29 of NDPS Act.
4. Though it is alleged that all the three petitioners were riding a motor cycle carrying ganja in two bags, yet it is submitted by learned counsel for the petitioners that the case of the prosecution is palpably false, which would be evident from the fact that the registration number of motorcycle is a fake and there is nothing on record to show as to who is the owner of the vehicle. That apart, only one seizure list was prepared and it is not clear as to from whom what quantity of contraband was allegedly seized.
5. After perusing the materials on record, it appears that there is some force in the submission as above. Having regard to the above

facts and the period of detention in custody, I am inclined to allow the prayer for bail. Let the petitioners 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 condition that they shall personally appear before the trial Court on each date of posting of the case without fail.

6. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

