

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2414 of 2022

Rajendra Digal

.... ***Petitioner***

Mr. Mahes Das,
Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr. A. Pradhan
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 23rd February, 2022 in connection with Inspector of Excise, Balilguda P.R. No.44 of 2021-22 corresponding to 2(a)C.C. Case No.3/2022 pending in the court of learned Special Judge-cum-Addl. Dist. And Sessions Judge, Balliguda for the alleged commission of the offence under Section 20(b)(ii)(C) of NDPS Act.

4. It is revealed from the prosecution report that 22 Kg. of contraband was seized being kept in a jerry bag, but the same included fruits, flowers and also leaves. On such basis, it is submitted by the Petitioner that if the quantity of leafs is taken away, the net weight of the contraband would be less than 20 Kg. There appears to be some force in the above submissions.

5. Taking into consideration the above facts 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