

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2449 of 2022

Manas Ranjan Priyadarshan

.... ***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 14th March, 2022 in connection with Padmapur P.S. Case No.58/2015 corresponding to C.T. Case No.81(C)/2015 pending in the court of learned Addl. Sessions Judge-cum-Special Judge, Gunupur for the alleged commission of the offence under Section 174 of I.P.C. and Section 20(b)(ii)(C) of the N.D.P.S. Act.

4. Admittedly, no contraband was seized from the possession of the Petitioner. The purported owner of the vehicle namely, Narahari Praharaj is said to have disclosed that he had sold the vehicle to the Petitioner. It further appears that the present Petitioner also sold the vehicle to one Sahadul Raheman @ Soleman. It is alleged that notice under Section 160 of Cr.P.C. was issued to the Petitioner to assist the Police in investigation, but since he did not comply with the same, he was arrested. Charge sheet was submitted on 25th February, 2018. It appears that the Petitioner's statement under Section 161 of Cr.P.C. was recorded on 16th December, 2017. Therefore, the allegation that the Petitioner did not comply with the notice under Section 160 of Cr.P.C. does not appear to be prima facie correct. Be that as it may, fact remains that no contraband was seized from the possession of the Petitioner and that he has been implicated in the case on the ground of being the purported owner of the vehicle for a certain period.

5. Taking into consideration all 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 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

