

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 2511 of 2022

Prasanta Bagha

.... **Petitioner**

Mr. A. Das, Advocate

- Versus -

State of Odisha

.... **Opposite Party**

Mr. P.K. Maharaj, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

05.04.2022

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 24.01.2022 in connection with Baunsuni P.S. Case No.7 of 2022 corresponding to Special Case (NDPS) No.8/2022 pending in the Court of learned District Judge-cum-Special Judge, Boudh for the alleged commission of offence under Sections 20(b)(ii)(C) of NDPS Act
4. Though the prosecution case is that two vehicles were involved and contraband ganja weighing 21 kg 400 grams was seized, yet from the FIR it is clear that the ganja was seized from a Bolero vehicle, while the petitioner was riding a motorcycle. Nothing was seized from the exclusive and conscious possession of the petitioner.
5. Having regard to the above fact 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 the court in seisin over the matter may deem fit and proper to impose including the condition that he 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

