

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2521 of 2022

Rajesh Gain

.... Petitioner

Mr. R.L.Pattnaik,
Advocate

-versus-

State of Odisha

.... Opposite Party

Mr. A. Pradhan
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

05.4.2022.

Order No.

01. 1. This matter is taken up through virtual mode.
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. The Petitioner is in custody since 8th August, 2020 in connection with Kalimela P.S. Case No.97 of 2020 corresponding to T.R. Case No.76/2020 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 the NDPS Act.

4. From the materials on record, it is evident that nothing was seized from the possession of the Petitioner, but at the relevant time he was riding a motor cycle and ganja weighing 34 Kg. 800 grams was seized from an auto rickshaw, which according to the prosecution, was being escorted by the Petitioner. It is brought to the notice of this Court that similarly placed accused persons have been released on bail as per order passed by this Court in BLAPL Nos.10697/2021 and 6417/2020.

5. Considering 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 trial court 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

