

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2539 of 2022

Santosh Behera

....

Petitioner

Mr. S.S.Ray-2,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P. Tripathy,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

11.4.2022.

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 7th January, 2022 in connection with Purusottampur P.S. Case No.18/2022 corresponding to G.R. Case No.4/2022(N) pending in the court of learned Addl. Sessions Judge-cum-Special Judge, Chatrapur for the alleged commission of the offence under Section 20 (b)(ii)(C)/29 of the NDPS Act.

4. It is alleged that the Petitioner was apprehended while transporting Ganja weighing 24 kg 25 grams in two bags kept in his motor cycle. Learned Counsel for the Petitioner submits that nothing was seized from the exclusive and conscious possession of the Petitioner and, in any case, the statutory formalities were not complied with. That apart, there is doubt regarding the process adopted for weighing of the contraband.

5. Considering the submissions made, the materials on record, and the period of detention in custody, I am inclined to allow the prayer for bail.

6. 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.

7. The BLAPL is disposed of.

8. Urgent certified copy of this order be granted on proper application.

AKB

(Sashikanta Mishra)
Judge

