

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2850 of 2022

Suvam Kumar Patnaik

....

Petitioner

Mr. S.C.Mohapatra,
Advocate

-versus-

State of Odisha

....

Opposite Party

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

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

20.4.2022.

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 21st February, 2022 in connection with Chatrapur (Sadar) Excise Station P.R. No.63/2021-2022 corresponding to 2 (a)C.C. No.5/2022 (N) pending in the court of learned Addl. Sessions Judge-cum-Special Judge, Chatrapur for the alleged commission of the offence under Sections 20 (b)(ii)(C) of N.D.P.S. Act.

4. It is alleged that while the Petitioner was carrying contraband ganja weighing 44 Kgs. in two bags, he was apprehended near Chhatrapur Railway Station. It is submitted by learned counsel for the Petitioner that the prosecution case itself reveals that the articles seized included fruits, flowers, leaves and branches of cannabis plant and, therefore, the exact quantity of so called contraband seized is unable to ascertain. A perusal of the P.R. reveals that while weight of the trolley bag along with the contraband has been indicated, yet the exact quantity of ganja excluding the leaves and branches has not been mentioned.

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. 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

