

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2903 of 2022

Budu @ Ashok Mohri

....

Petitioner

Mr. P. Mohapatra,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.S.K.Mishra
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

25.4.2022.

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Learned counsel for the Petitioner seeks permission to correct the name of the Petitioner, which has been wrongly mentioned as “Babu” instead of “Budu” in the cause title page of the Bail Application. Such correction be carried out in Court.
3. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.

4. The Petitioner is in custody since 11th April, 2021 in connection with Mudulipada P.S. Case No.45/2019 corresponding to T.R. Case No.82/2019 pending in the court of learned Sessions Judge-cum-Special Judge Malkangiri, for the alleged commission of the offence under Sections 20 (b)(ii)(C)/25/27-A/29 of the N.D.P.S. Act.

5. Though the allegation is that the Petitioner was apprehended for being in possession of contraband ganja weighing 164 kgs. 700 grams, from the materials on record it appears that nothing was seized from the exclusive and conscious possession of the Petitioner and it appears that he has been implicated on the basis of the statement of one Ranjit Sikdar, who admittedly was the driver of the vehicle in which the contraband was being transported. It further appears that the co-accused Manindra Basu, who is standing on the same footing, has already been released on bail as per the order passed by this Court in BLAPL No.3614/2021.

6. 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. Further, he shall appear before the I.I.C., Mudulipada P.S. on every Monday and

Thursday in between 10 A.M. to 2.00 P.M. for a period of one year and he will not indulged in commission of similar type of offence.

7. The BLAPL is disposed of.

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

AKB



(Sashikanta Mishra)
Judge