

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 2919 of 2022

Sayad Mohammed Raffi

....

Petitioner

*Mr. Manoranjan Padhy,
Advocate*

-Versus -

State of Odisha

....

Opposite Party

*Mr. S.K. Mishra,
Additional Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

09.09.2022

Order No.

5.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is in custody since 09.03.2022 in connection with Machkund P.S. Case No. 60 of 2016 corresponding to T.R. Case No. 46 of 2016 pending in the court of learned Additional Sessions Judge-cum-Special Judge, Koraput for the alleged commission of offence under Sections 20(b)(ii)(C) of the NDPS Act.
4. It is alleged that the petitioner was carrying contraband ganja weighing 71 kgs 700 grams in his own vehicle when he was apprehended by police. It is submitted that the statutory formality relating to search and seizure has not been followed. Moreover the mode of weighment of the contraband article is also doubtful.
5. Considering the submissions made, the materials on record

and the period of detention of the petitioner 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. The BLAPL is accordingly disposed of.

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

(Sashikanta Mishra)
Judge

