

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3028 of 2022

Dhiru @ Dhiren Chhual Singh

....

Petitioner

Mr. R.K.Pattnaik
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.A. Pradhan,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
18.5.2022.

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 8th February, 2022 in connection with Mudulipada P.S. Case No.54/2021 corresponding to Special G.R. Case No.67/2021 pending in the court of learned Special Sessions Judge-cum-Special Judge, Malkangiri for the alleged commission of the offence under Section 20(b)(ii)(C) of the N.D.P.S. Act.
4. As it appears, three persons were apprehended by Mudulipada Police while they were transporting huge quantity of ganja weighing 720 kgs. in a Bolero Pick-up vehicle when

they were apprehended. The Petitioner was implicated in the case only because he is the owner of the Bolero vehicle. However, learned counsel for the petitioner referring to the hire agreement(enclosed as Annexure-3 to the Bail Application) submits that one of the accused persons namely, Dhobu Pangi had taken the vehicle on hire and as such the Petitioner had nothing to do with the alleged occurrence. Undoubtedly, the Petitioner was neither at the spot nor anything was seized from his possession. He has been implicated only because he is the owner of the vehicle.

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 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 and in case of even a single default, the said court shall pass appropriate orders to take him to custody again.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

