

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3077 of 2022

Sk. Abid

.... **Petitioner**

Mr. J.K. Majhi, Advocate

- Versus -

State of Odisha

.... **Opposite Party**

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

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

02.05.2022

Order No.

1.

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 16.02.2022 in connection with Malgodown P.S. Case No.36 of 2022 corresponding to G.R. Case No.5 of 2022 pending in the Court of learned District and Sessions Judge, Cuttack for the alleged commission of offence under Section 21(c) of IPC.
4. The allegation is that the petitioner and another person were found to be in possession of contraband brown sugar weighing 406 grams, yet the materials on record clearly reveal that there were two separate seizures and in so far as the present petitioner is concerned, 152 grams of brown sugar only was seized from his possession, which is less than commercial quantity.
5. Considering the materials as above, 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 IIC of Malgodown Police Station on

every Monday and Friday at 10 a.m. for a period of six months and such fact shall be certified by the IIC of the police Station to the Court in seisin over the matter once in every month. Further, the petitioner shall appear before the trial Court on each date of the posting of the case and in case of even a single default, the Court below shall pass appropriate orders to take him to custody again.

6. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

