

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3144 of 2022

Vira @ Viru @ Siv Kumar Ray **Petitioner**
Mr. R.N. Biswal, Advocate
- Versus -

State of Odisha **Opposite Party**
Mr. P. Tripathy, Addl. Standing Counsel

CORAM:
JUSTICE SASHIKANTA MISHRA

ORDER
04.05.2022

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 08.04.2021 in connection with Bisam Katak P.S. Case No.45 of 2021 corresponding to T.R. Case No.55 of 2021 pending in the Court of learned Addl. Sessions Judge-cum-Special Judge, Gunupur for the alleged commission of offence under Sections 20(b)(ii)(C) of the NDPS Act.
4. It is alleged that the petitioner and another person were apprehended while they were carrying contraband ganja weighing 50 kgs in a car. It is submitted that none of the mandatory requirements of the NDPS Act relating to search and seizure were followed and so also the mode of weighment of the contraband is open to doubts.
5. Considering the submissions as above and taking into account the period of detention of the petitioner in custody without trial, which is more than one year, 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 furnish cash security of Rs.40,000/- (Rupees Forty Thousand).

6. BLAPL is accordingly disposed of.
7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

