

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3276 of 2022

Daitari Hantal

....

Petitioner

Mr. M. Padhy, Advocate

- Versus -

State of Odisha

....

Opposite Party

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

16.05.2022

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 30.07.2021 in connection with Baipariguda P.S. Case No.118 of 2021 corresponding to T.R. Case No.68 of 2021 pending in the Court of learned Sessions Judge-cum-Special Judge, Koraput at Jeypore for the alleged commission of offence under Sections 20(b)(ii)(C) of NDPS Act.
4. The allegation is that the petitioner was in possession of contraband ganja weighing 65 kgs when he was apprehended by the staff of Baipariguda Police Station during patrolling. It is further alleged that the petitioner was moving on a motorcycle carrying the contraband in some jerry bags. It is submitted that the mandatory statutory formalities have not been complied with and moreover, the mode of weighment of contraband is not free from doubts.
5. Considering the submissions as above, the materials on record and taking into account the period of detention in custody without

commencement of trial, 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. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

