

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3525 of 2022

Biswanath Meher

....

Petitioner

Mr. D. R. Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. G.R. Mohapatra, ASC

CORAM: MR. JUSTICE S.K. PANIGRAHI

ORDER

19.05.2022

Order No.

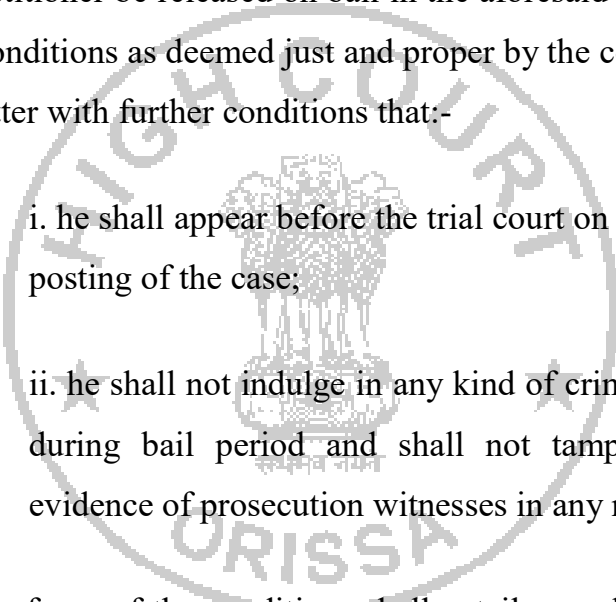
01. 1. The matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the petitioner.
3. The petitioner is facing trial for the offence under Section 20(b)(ii)(C) of the NDPS Act in Gunupur P.S. Case No.130 of 2021, arising out of T.R. Case No.91 of 2021, of the court of learned Addl. Sessions Judge-cum-Special Judge, Gunupur. He has filed this petition for his release on bail.
4. The prosecution case, as narrated in the FIR, is that on 03.09.2021 while the informant along with his staff was performing patrol duty, they found one motorcycle was coming from Gumuda carrying a plastic gunny bag. When the motorcycle was stopped and on being asked, the driver of the said motorcycle disclosed his name (present petitioner). On such of the said gunny bag, 22.00 kgs of Ganja was recovered.
5. Learned counsel for the petitioner submits that the investigation of the case has been completed and the charge-sheet has been filed. The

petitioner is in custody since 03.09.2021. The trial is yet to commence in the present case.

6. Learned counsel for the State opposes the bail prayer of the petitioner.

7. Considering the aforesaid submissions, facts of the case and the period of detention of the petitioner in judicial custody, the BLAPL is allowed.

8. Let the petitioner be released on bail in the aforesaid case on such terms and conditions as deemed just and proper by the court in seisin over the matter with further conditions that:-

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- i. he shall appear before the trial court on each date of posting of the case;
 - ii. he shall not indulge in any kind of criminal activity during bail period and shall not tamper with the evidence of prosecution witnesses in any manner.

9. Violation of any of the conditions shall entail cancellation of the bail.

10. The BLAPL is disposed of.

Urgent certified copy of this order be granted as per rules.

(S.K. Panigrahi)
Judge

pcd