

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3609 of 2022

Roshan Ray and another

....

Petitioners

*Mr. Pabitra Kumar Nayak,
Advocate*

-Versus -

State of Odisha and another

....

Opposite Parties

*Mr. P. Tripathy,
Additional Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

**ORDER
22.09.2022**

**Order No.
2.**

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.
3. The petitioners are in custody since 28.02.2022 in connection with Plantsite P.S. Case No. 78 of 2022 corresponding to G.R. Case No. 11 of 2022 pending in the court of learned 1st Additional Sessions Judge-cum-Special Judge, Rourkela for the alleged commission of offence under Sections 21(c)/29 of NDPS Act.
4. It is alleged that the petitioners were carrying contraband brown sugar in their Scooty along with others when they were apprehended by police and on search 262.250 grams of contraband was found along with cash more than Rs.7 lakhs and country made pistols. It is submitted that the statutory formalities were not complied before search and seizure and the method of

weighment of the seized article is also questionable.

5. Considering the above facts and the period of detention in custody without trial, I am inclined to allow the prayer for bail. Let the petitioners 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 following condition.:-

(i) They shall appear before the IIC of Plantsite police station, Rourkela on every Sunday at 10.00 a.m. till conclusion of the trial and such fact shall be certified by the ICC to the concerned court once in a month.

6. The BLAPL is accordingly disposed of.

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

(Sashikanta Mishra)
Judge

