

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3655 OF 2022

Bulu Gouda

....

Petitioner

*Mr. Amulya Ratna Panda,
Advocate*

-Versus -

State of Odisha

....

Opposite Party

*Mr. S.K. Mishra,
Additional Standing Counsel*

**CORAM:
JUSTICE SASHIKANTA MISHRA**

**ORDER
13.10.2022**

**Order No.
3.**

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 14th August, 2021 in connection with Bhubaneswar STF P.S. Case No. 29 of 2021 corresponding to Special Case No. 199 of 2021 pending in the Court of learned Sessions Judge-cum-Special Judge, Balasore for the alleged commission of offence under Sections 20(b)(ii)(C)/29 of NDPS Act.
4. Though it is alleged that the petitioner and some other persons were transporting contraband ganja of weighing 994 kgs. 600 grams, yet the name of the petitioner does not find place in the FIR. He appears to have been implicated on the basis of the statement of co-accused Pravat Kumar Sahu, who allegedly stated that he had approached the petitioner to obtain some money from

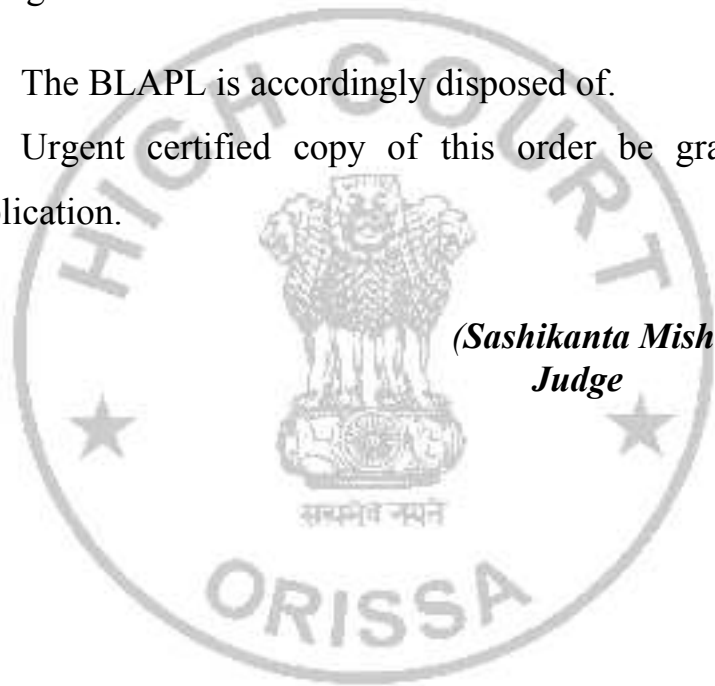
him as he was working under him.

5. Considering the submissions as above and the fact that the petitioner appears to have been implicated on the basis of the statement of the co-accused and keeping in mind the ratio of ***Tofan Singh vs. State of Tamil Nadu***, reported in (2020) 80 OCR (SC) 641, I am inclined to allow the prayer for bail. Let the petitioner be released on bail on such terms and conditions as may be fixed by the Court in seisin over the matter and further he shall personally appear before the trial court on each date of posting of the case, failing which this order shall be treated as automatically cancelled.

6. The BLAPL is accordingly disposed of.

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

(***Sashikanta Mishra***)
Judge



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