

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3718 of 2022

Anand Kumar

....

Petitioner

Mr. S.K. Jena, Adv.

- Versus -

State of Odisha

....

Opposite Party

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

14.10.2022

Order No.
05.

1. Heard learned counsel for the petitioner and learned Addl. Standing Counsel for the State.

2. As directed, learned State counsel has obtained instructions that the petitioner has been residing at Kargil Basti under Air Field Police Station for more than five years.

3. The petitioner is in custody since 25.10.2021 in connection with Air Field P.S. Case No.275 of 2021 corresponding to T.R. Case No.464 of 2021 pending in the Court of learned Sessions Judge, Khurda at Bhubaneswar for the alleged commission of offence under Sections 21(C)/29 of NDPS Act.

4. It is alleged that the petitioner was in possession of brown sugar weighing 252 grams when he was apprehended by police. It is submitted that the statutory formality relating to search and seizure has not been followed. Moreover, the mode of weighment of the contraband article is also doubtful.

5. Considering the submissions, materials on record and the period of detention in custody, 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 appear before the IIC of Air Field P.S. on every Sunday at 10 a.m. till conclusion of trial. Further, he shall personally appear before the trial Court on each date of the 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

