

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3808 of 2022

Binay Kanhar

....

Petitioner

Mr. A.R.Panda
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.S.K.Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
18.5.2022

Order No.

01.

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 22nd January, 2022 in connection with Khurda Road GRPS Case No.9/2022 corresponding to T.R. Case No.31/2022 pending in the court of learned Sessions judge-cum-Special Judge, Khurda at Bhubaneswar for the alleged commission of the offence under Section 20(b)(ii)(C) of the N.D.P.S. Act.

4. It is alleged that five persons were carrying contraband ganja weighing 79 kgs. 200 grams when they were apprehended by the Police. It is submitted that in so far as the present Petitioner is concerned, only 15 kgs.400 grams was seized, but Police deliberately included the seizure of contraband from other accused persons only to show the same as commercial quantity.

5. Considering the submissions made, the materials on record and the period of detention of the Petitioner in custody, I am inclined to allow the prayer for bail. Let the Petitioner be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case including the condition that he shall appear before the trial court on each date of posting of the case without fail.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge