

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4045 of 2022

Shankar Swain

....

Petitioner

Mr. A.K.Swain
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.P.K.Maharaj,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
19.5.2022.

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 17th March, 2022 in connection with Bhubaneswar GRP P.S. Case No.44/2022 corresponding to T.R. Case No.105/2022 pending in the court of learned Sessions Judge, Khurda at Bhubaneswar for the alleged commission of the offence under Section 20 (b) (ii) (C) of the NDPS Act.

4. It is alleged that the Petitioner and another person were possession of 39 kgs of contraband ganja when they were detained by Police. It is submitted that in so far as the present Petitioner is concerned, only 19 kgs of ganja was recovered from his conscious possession that police has deliberately clubbed the case with the other persons to show the contraband 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, failing which it shall be open to the said court to pass necessary orders to take him to custody again.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

