

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4225 of 2022

Bulu Kumar Pradhan

....

Petitioner

Mr. A.N.Samantaray
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.M. Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

23.9.2022.

Order No.

02.

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 18th March, 2022 in connection with Hinjili P.S. Case No.91/2020 corresponding to G.R. Case No.11/2020 pending in the court of learned Addl. Sessions Judge-cum-Special Judge, Chhatrapur, Ganjam, 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 two other persons were transporting contraband ganja weighing 54 kgs. when they were 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 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 and in case of even a single default, necessary orders shall be passed by the court 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