

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4293 of 2022

Md Raja

....

Petitioner

Mr. J.K.Panda
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M.Mishra
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

23.9.2022.

Order No.

03.

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 20th February, 2022 in connection with Bhubaneswar P.S. Case No.01/2022 corresponding to G.R. Case No.12/2022 pending in the court of learned Sessions Judge-cum-Special Judge, Nayagarh for the alleged commission of the offence under Section 21(c) and 29 of the N.D.P.S. Act read with Sections 25 and 27 of the Arms Act.

4. It is alleged that one K. Biki Rao was in possession of brown sugar weighing 1 kg 005 gram when he was apprehended by Police. During interrogation, he revealed the name of several persons from whom he used to procure brown sugar regularly including the name of the Petitioner. As such, nothing was seized from the exclusive and conscious possession of the Petitioner. The Petitioner was also not present at the spot. He has been implicated in the case only on the basis of the statement of co-accused.

5. Taking into consideration all the above facts 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 may be imposed by the court in seisin over the matter in the aforesaid case including the condition that he shall appear before the court below on each date of posting of the case without fail. Further, the Petitioner shall appear before the I.I.C. of Capital P.S., Bhubaneswar on every Sunday at 10.00 A.M., till conclusion of trial and such fact shall be certified by the I.I.C. to the concerned Court once in a month.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

