

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4415 of 2022

Thayali Shyam Sunder

....

Petitioner

Mr. J.K.Panda
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.M. Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

24.9.2022.

Order No.

04.

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 9th April, 2022 in connection with Chitrakonda P.S. Case No.121/2021 corresponding to Special G.R. Case No.97/2021 pending in the court of learned Sessions Judge-cum-Special Judge, Malkangiri for the alleged commission of the offence under Section 20 (b) (ii) (C)/27-A/29-A of the NDPS Act.

4. It is alleged that the Petitioner has been implicated in the offence entirely on the basis of the statement of the co-accused, N. Balu. Though the quantity of contraband is huge being 1507 kg 500 gms. yet having regard to the fact that nothing was seized from the exclusive and conscious possession of the Petitioner and he had been implicated on the basis of the statement of co-accused, I am inclined to allow the prayer for bail.

5. 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. Further, he shall furnish cash security of Rs.3,00,000/-(Rupees Three Lakhs) in the shape of short term fixed deposit in any Nationalised Bank being pledged to the Court below.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

