

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4442 of 2022

Chamara Harijan

....

Petitioner

Mr. S.K.Mohanty
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.P. Tripathy,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

21.10.2022.

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 Orkel P.S. Case No.83/2016 corresponding to C.T. Case No.130-A/2016 pending in the court of learned Special Judge-cum-Session Judge, Malkangiri, for the alleged commission of the offence under Section 20 (b) (ii) (C)/27(A) of the NDPS Act.

4. It is alleged that several persons were carrying contraband ganja weighing 1825 kgs. 400 grams, out of whom 7 persons were apprehended and others managed to flee from the spot. In so far as the present petitioner is concerned he was implicated on the basis of the statement of one of the co-accused. There is no other material to show recovery of contraband from his exclusive and conscious possession.

5. Taking into consideration all the above facts, 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