

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4477 of 2022

Nandighose Lima

....

Petitioner

Mr. P.K.Mishra
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.M. Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

24.9.2022.

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 23rd July, 2021 in connection with Muniguda P.S. Case No.83/2021 corresponding to T.R. No.72/2021 pending in the court of learned Addl. Sessions Judge-cum-Special Judge, Gunupur for the alleged commission of the offence under Section 20 (b) (ii) (C)/29 of the NDPS Act.

4. It is alleged that the Petitioner has been implicated in the case basing on the statement of the co-accused. His name does not find place in the F.I.R and he appears to have been remanded in this case while he was arrested in connection with another case. The quantity of ganja seized in the present case is 780 kgs. However except for the statement of co-accused, there is no other independent material to show the complicity of the Petitioner in the alleged crime.

5. Taking into consideration all the above facts as also 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 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.2,00,000/-(Rupees Two 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

