

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4577 of 2022

Jagadish Patro

....

Petitioner

Mr. B.R. Tripathy, Advocate

- Versus -

State of Odisha

....

Opposite Party

Mr. P. Tripathy, Additional Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

29.09.2022

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 13.04.2022 in connection with Gunpur P.S. Case No.66 of 2022 corresponding to T.R. Case No.50 of 2022 pending in the Court of learned Addl. Sessions Judge-cum-Special Judge, Gunupur for the alleged commission of offence under Sections 20(b)(ii)(C)/25/27-A/29 of NDPS Act.
4. The allegation is that the petitioner along with others were transporting contraband ganja weighing more than 1200 Kgs when they were apprehended by the police. Nothing was seized from the conscious possession of the petitioner. There is no material on record to show that he was present at the spot, save and except the statement of the co-accused. There is no independent material showing his complicity in the occurrence. The bail application is therefore allowed.
5. Let the petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit

and proper to impose including the conditions:-

- (i) The petitioner shall be released on furnishing cash security of Rs.1 lakh.
 - (ii) He shall appear before the IIC of Gunupur police station on every Sunday at 10.00 a.m. till conclusion of trial and such fact shall be certified by the IIC to concerned court once in a month.
6. The BLAPL is accordingly disposed of.
7. Urgent certified copy of this order be granted on proper application.
- 8.

Rati Ranjan



(Sashikanta Mishra)
Judge