

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4763 of 2022

Biren Kumar Tripathy

....

Petitioner

Mr. A.R. Panda, Advocate

- Versus -

State of Odisha

....

Opposite Party

Mr. P. Tripathy, Additional Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

29.09.2022

Order No.

2.

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 17.03.2022 in connection with Balasore P.R. Case No.171 of 2022 corresponding to Special Case No.62 of 2022 pending in the Court of learned Sessions Judge –cum- Special Judge, Balasore for the alleged commission of offence under Sections 20(b)(ii)C/8(C) of N.D.P.S. Act.
4. It is alleged that the petitioner was in possession 84 Kgs of contraband Ganja that he was apprehended by the Excise Officers. It is submitted that the statutory formality relating to search and seizure has not been followed. Moreover, the mode of weighment of the contraband article is also doubtful.
5. Considering the submissions as above, the materials on record and the period of detention in custody without trial, I am inclined to allow the prayer for bail. 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 condition

that he shall personally appear before the trial court on each date of posting of the case without fail.

6. BLAPL is accordingly disposed of.
7. Issue urgent certified copy as per rules.

Rati Ranjan

(Sashikanta Mishra)
Judge

