

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No. 4870 of 2022**

**Mukesh Yadv**

.... **Petitioner**  
Mr. S.K. Pattanaik, Adv.

- Versus -

**State of Odisha**

.... **Opp.Party**  
Mr. P. Tripathy,  
Addl. Standing Counsel

**CORAM:**

**JUSTICE SASHIKANTA MISHRA**

**ORDER**

**16.09.2022**

**Order No.**

**2.**

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is in custody since 10.10.2021 in connection with Brahmanitarang P.S. Case No.191/2021 corresponding to Spl. G.R. No.11 of 2021 pending in the Court of learned 1<sup>st</sup> Addl. Sessions Judge, Rourkela for the alleged commission of offence under Section 20(b)(ii)(C) of NDPS Act.
4. It is alleged that the petitioner and three other persons were transporting contraband ganja weighing 62 Kg 465 grams when they were apprehended by police. 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. It further appears that all the co-accused persons have in the meantime been released on bail as per orders passed by this Court in BLAPL Nos. 6208 of 2022 and 6855 of 2022.
5. Considering the above facts and 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 the court in seisin

over the matter may deem fit and proper to impose including the condition that he shall furnish cash security of Rs.75,000/- (Rupees Seventy Five Thousand). Further he shall appear before the trial court below on each date of posting of the case, failing which N.B.W. shall be issued against him to take him to custody again.

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

*A.K. Rana*

**(Sashikanta Mishra)**  
**Judge**

