

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4878 of 2022

Miteshwar Majhi

....

Petitioner

Mr. S.K. Dash, Advocate

-Versus -

State of Odisha

....

Opposite Party

*Mr. M. Mishra,
Additional Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

23.09.2022

Order No.
03.

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 14.11.2021 in connection with Muniguda P.S. Case No. 157 of 2021 corresponding to T.R. Case No. 103 of 2021 pending in the court of learned Additional Sessions Judge-cum-Special Judge, Gunupur for the alleged commission of offence under Sections 20(b)(ii)C/29 of NDPS Act.
4. It is alleged that the petitioner was driving an auto rickshaw with two occupants carrying contraband ganja weighing 55 kgs. The occupants have in the meantime been granted bail as per order passed by this Court in BLAPL No.5909 of 2022. It is submitted that the statutory formalities were not complied before search and seizure and the method of weighment of the seized article is also questionable.
5. Considering 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 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. The BLAPL is accordingly disposed of.

7. Urgent certified copy of this order be granted on proper application.

(Sashikanta Mishra)
Judge

B.C. Tudu

