

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4902 of 2022

Braja Bathilia

....

Petitioner

Mr. S.K. Dash, Advocate

- Versus -

State of Odisha

....

Opposite Party

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

24.09.2022

Order No.
03.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.
3. The petitioner is in custody since 01.12.2021 in connection with Ambadola P.S. Case No. 142 of 2021 corresponding to T.R. Case No. 110 of 2021 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)/29 of NDPS Act.
4. It is alleged that several persons had kept contraband ganja weighing 84 kgs. in a bag when police arrived at the spot. While nine persons managed to run away, three persons, including the present petitioner were apprehended. It is submitted that nothing was seized from the possession of the petitioner and the so called seizure of the contraband was made from an open place. It is further submitted that one of the co-accused, namely, M.D. Jahangir has been released on bail as per order passed by this Court in BLAPL No. 5624 of 2022.
5. Taking into consideration all 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 personally appear before the trial court on each date of posting of the case without fail.

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

(Sashikanta Mishra)
Judge

A.K. Rana

