

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5078 of 2022

Akshaya Kumar @ Papu Pandey ***Petitioner***

Mr. S. Pattnaik
Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr.D. Biswal,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

20.6.2022.

Order No.

- 01.
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 24th February, 2022 in connection with Baselisahi P.S. Case No.30/2022 corresponding to G.R. Case No.28/2022 pending in the court of learned Special Judge, Puri for the alleged commission of the offence under Sections 21(C)/29 of N.D.P.S. Act.
 4. It is alleged that the Petitioner was riding pillion on a motorcycle of which one Dipti Ranjan Bhujabal was the rider.

The further allegation is that both of them were escorting two other persons in a motorcycle namely, Firoz Khan and Sk. Iptikhar Tulla. On search, brown sugar weighing 356 grams was found from the exclusive and conscious possession of said Firoz Khan and so far as the present Petitioner is concerned, nothing was recovered and he was implicated in the case only on the allegation of escorting the principal accused persons.

5. Considering the above and in particular the fact that no contraband was seized from the possession of the Petitioner and he was also not riding the motorcycle in which the principal accused carrying the contraband was riding, I am inclined to allow the prayer for bail. Let the Petitioner be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case including the condition that he shall appear before the trial court on each date of posting of the case and in case of even a single default, necessary orders shall be passed by the court to take him to custody again.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

