

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5183 of 2022

Durga Luhar and another

....

Petitioners

Mr. A.K.Sahoo,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.P.K.Maharaj,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

21.6.2022.

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioners and learned Addl. Standing Counsel for the State.
3. The Petitioners are in custody since 30th March, 2022 in connection with Deogarh P.S. Case No.287/2022 corresponding to Spl. C.T. Case No.13/2022 pending in the court of learned Sessions Judge-cum-Judge, Special Court, Deogarh for the alleged commission of the offence under Sections 17(c)/18 (c)/22 of the N.D.P.S. Act.

4. It is alleged that the Petitioners had cultivated opium and harvested it. In course of raid, 777 grams of opium, 9.100 kgs. puppy straw and 9.541 kgs. of dried seeds of poppy fruits were seized. Further, the dried standing crop of poppy was also found which was destroyed by the Police by burning it. It is submitted that the Petitioners were working as labourers in the field and, therefore, cannot be blamed for the cultivation.

5. Considering the submissions, materials on record and the period of detention of the Petitioners in custody, I am inclined to allow the prayer for bail. Let the Petitioners be released on bail in the aforesaid case on such terms and conditions as may be imposed by the court in seisin over the matter including the condition that they shall appear before the trial court on each date of posting of the case without fail and they shall co-operate with the investigation.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

