

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5187 of 2022

Sanjit Badi

.... Petitioner

Mr. Akshaya Kumar 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 Petitioner and learned Addl. Standing Counsel for the State.
3. The Petitioner is in custody since 20th November, 2011 in connection with Binika P.R. No.89/2011-2022 corresponding to Special 2(a)C.C. Case No.14/2021 pending in the court of learned Sessions Judge-cum-Special Judge, Sonapur for the alleged commission of the offence under Section 20 (b) (ii) (C) of the NDPS Act.

4. It is alleged that the Petitioner was transporting contraband ganja weighing 62 kgs. in a Bolero vehicle when he was apprehended by Excise officials. It is submitted that the Petitioner was the occupant of the Bolero vehicle and had no knowledge about the contents of the jerry bags kept in the dickey. 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.

5. Considering the above facts, the materials on record and the period of detention of the Petitioner in custody without commencement of trial, 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

