

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No.5201 of 2022**

***Amar Khatua and others***

***.... Petitioners***

Mr. S. Harichandan  
Advocate

***-versus-***

***State of Odisha***

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

Mr.S.K. Mishra,  
Addl. Standing Counsel

**CORAM:**

**JUSTICE SASHIKANTA MISHRA**

**ORDER**

**24.9.2022.**

**Order No.**

03.

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 18<sup>th</sup> May, 2022 in connection with EI EB Unit-II(CD) Cuttack P.R. No.86/2022-23 corresponding to 2(a)C.C. Case No.30/2022 pending in the court of learned Sessions Judge-cum-Special Judge, Cuttack for the alleged commission of the offence under Section 20 (b) (ii) (C) of the NDPS Act.

4. It is alleged that the Petitioners and two other person were transporting contraband ganja weighing 42 kgs. when they were apprehended by Police. 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 submissions made, the 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 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 they 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 them 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***

