

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5334 of 2022

Debendra Nag

....

Petitioner

Mr. S.K.Mohanty
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S.K.Mishra
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

27.6.2022.

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 19th August, 2021 in connection with Jeypore Sadar P.S. Case No.136/2021 corresponding to T.R. Case No.58/2021 pending in the court of learned Special Judge-cum-Sessions Judge, Jeypore, for the alleged commission of the offence under Section 20 (b) (ii) of the NDPS Act.

4. It is alleged that contraband weighing 102 kg. was being transported in a XUV Car in which there were around 5 to 6 occupants and another person was in a motorcycle in front of the car. On seeing the Police personnel, the occupants of the car and rider of the bike ran away, but one of the said occupants and the rider were apprehended. Basing on their statement before Police the Petitioner, who was in custody in connection another case, was remanded in the present case. As it appears, nothing was seized from the possession of the Petitioner and he has been arrested on the basis of the statement of the co-accused.

5. Considering the submissions made, the materials on record, the period of detention of the Petitioner in custody and the fact that the co-accused namely, Awini Naik @ Aswini Kumar Nayak @ Nasir, who was the rider of the motorcycle, has been granted bail as per the order passed by this Court in BLAPL No.7914/2021, 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.. Further, he shall appear before the I.I.C. of Jeypore Sadar Town P.S. on every Monday at 10 A.M. for a period of six months.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

