

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4364 of 2021

Dilip Khila

....

Petitioner

*Mr. R.N. Pattanaik,
Advocate*

-Versus -

State of Odisha

....

Opposite Party

*Mr. P. Tripathy,
Additional Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

08.08.2022

Order No.

5.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is in custody since 30.04.2021 in connection with Jeypore Sadar PS. Case No. 80 of 2021 corresponding to T.R. Case No. 30 of 2021 pending in the court of learned Sessions Judge-cum-Special Judge, Koraput at Jeypore for the alleged commission of offence under Sections 20(b)(ii)(C) of NDPS Act.
4. It is alleged that contraband ganja weighing 392 kgs was being transported in a Mahindra Supro Max vehicle and the petitioner and another person were escorting the same. The contraband was recovered from the Mahindra vehicle and nothing was seized from the exclusive and conscious possession of the petitioner. There is no acceptable material to show that he had any nexus with the occupants of the vehicle or that he was transporting the same at their instance.

5. Taking into account all the above facts as also 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 the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial court on each date of posting of the case without fail.
6. The BLAPL is disposed of.
7. Urgent certified copy of this order be granted on proper application.

(Sashikanta Mishra)
Judge

B.C. Tudu

