

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.5454 of 2022

<i>Prasanta Kumar Rout</i>		<i>Petitioner</i> <i>Mr.A.R. Panda, Adv.</i>
-versus-		
<i>State of Odisha</i>		<i>Opp. Party</i> <i>Mr.G.R. Mohapatra,</i> <i>ASC</i>

CORAM:
DR. JUSTICE S.K. PANIGRAHI

ORDER
03.08.2022

Order
No.

02. 1.This matter is taken up through hybrid mode.
2. Heard learned counsel for the parties.
3. The petitioner is accused in connection with C.T. Case No. 27 of 2020 arising out of Khajuripada P.S. Case No. 50 of 2020 on the file of learned District & Sessions Judge-cum-Special Judge, Kandhamal, Phulbani registered under Section 20(b)(ii)(B) of the N.D.P.S. Act.
4. It is alleged that on 04.06.2020 at about 4.P.M. the present accused along with another while transporting 11 kgs of ganja in two jari bags in a red colour Hero Extreme Motorcycle bearing registration No. OD-05-Y-6609, the Inspector of Police, Khajuripada PS namely Ramakanta

Patra on credible information detained the said motorcycle with two persons at Gadapadar. The Inspector of Police searched the motorcycle bearing registration No. OD-05-Y- 6609, recovered and seized 11kgs of ganja from the conscious possession of the present accused Prasant Kumar Rout and Biswajit @ Satyajit Pradhan as per the law. Accordingly, the present accused and another were arrested and forwarded to Court on 05.06.2020 for committing offence under Section 20(b)(ii)(B) of the NDPS Act, 1985 in CT Case No. 27 of 2020 arising out of Khajuripada PS Case No. 50 dated 04.06.2020.

5. Learned counsel for the petitioner submits that although the petitioner was on bail by the order of the Court in BLAPL No. 4047 of 2020 with condition that "he shall appear before this Court on each date of adjournment till closure of proceeding" along with other conditions. But as he could not appear before the learned Trial Court due to his illness the NBW was issued against him.

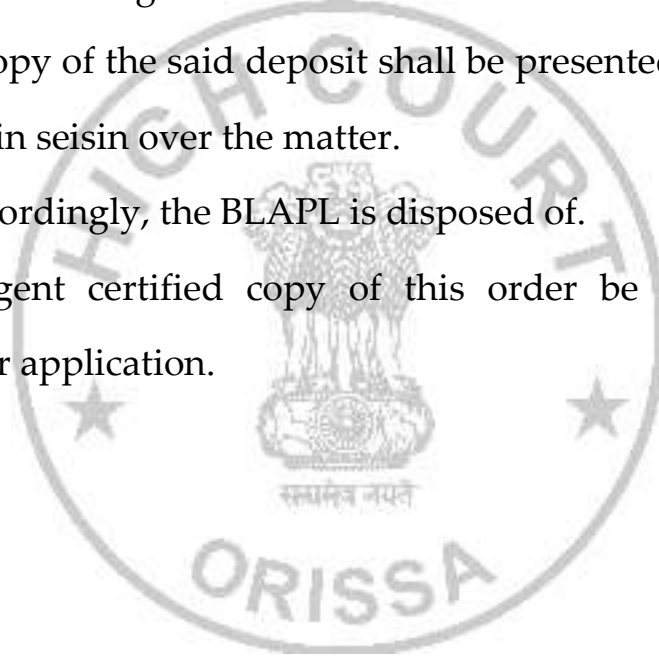
6. Learned counsel for the State vehemently opposes the prayer for bail.

7. However, considering the submissions made it is directed that the petitioner, surrender before the court in

seisin over the matter within a period of fifteen days hence. On such event, the said court shall release him on bail with some stringent conditions so as to enable him to appear before the court on each date of posting of the case. In addition, the petitioner shall deposit a sum of Rs.1000/- (rupees one hundred only) as cost for violating the court's order. The said amount shall be deposited before the High Court Bar Associations Welfare Fund and copy of the said deposit shall be presented before the court in seisin over the matter.

8. Accordingly, the BLAPL is disposed of.

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



(Dr. S.K. Panigrahi)
Judge

SD