

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4538 of 2021

Mangaldan Khora

....

Petitioner

Mr.Dipak Ranjan Mishra, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr.M.K.Mohanty, A.S.C..

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

07.09.2022

Order No.

- 08.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. This is an application under Section 439 Cr.P.C. filed by the Petitioner for bail in connection with Jeypoe Sadar P.S.Case No.80 of 2021, corresponding to T.R.Case No.30 of 2021 pending in the file of the learned Sessions Judge-cum-Special Judge, Koraput at Jeypore for the alleged commission of offence under Sections 20(b)(ii)(C) of NDPS Act.
 3. 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

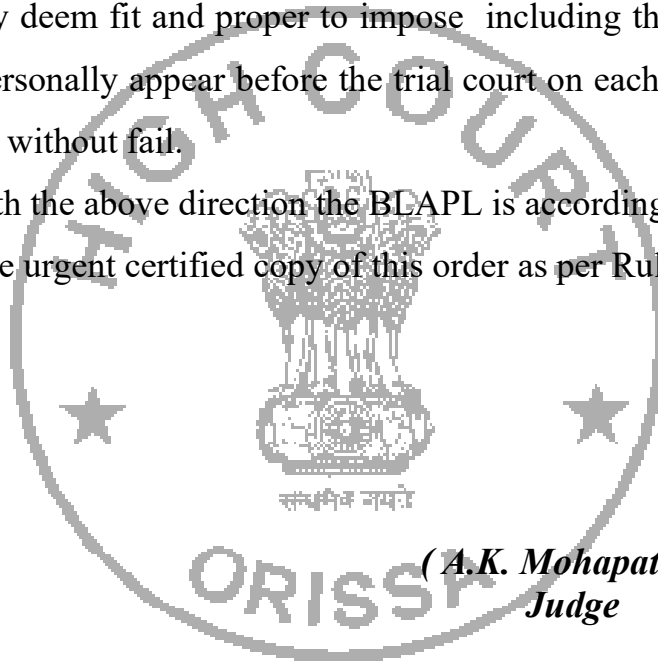
vehicle or that he was transporting the same at their instance.

4. It is submitted by the learned counsel for the Petitioner that co-accused Dilip Khila has been released on bail by this Court in BLAPL No.4634 of 2021 by order dated 08.08.2022. The Petitioner is in custody since 30.04.2021.

5. Having regard to the facts and circumstances of the case and taking into consideration the period of custodial detention of the Petitioner without commencement of trial, this Court is inclined to allow the prayer for bail of the Petitioner. 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. With the above direction the BLAPL is accordingly disposed of.

7. Issue urgent certified copy of this order as per Rules.



(A.K. Mohapatra)
Judge