

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5520 of 2022

Deba Sabar

....

Petitioner

Mr. S.K. Nayak, Advocate

- Versus -

State of Odisha

.... Opposite Party

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

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

04.07.2022

Order No.

1.

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 19.08.2021 in connection with Rayagada P.S. Case No.14 of 2021 corresponding to T.R. No.16 of 2021 pending in the Court of learned Addl. District Judge-cum-Special Judge, Rayagada for the alleged commission of offence under Sections 20(b)(ii)(C) of NDPS Act.
4. It is alleged that the petitioner was in possession of contraband ganja weighing 25 Kg when he was apprehended by the Police.
5. 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.
6. Considering the submissions, materials on record and taking into account the period of detention in custody without 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.

7. BLAPL is accordingly disposed of.

8. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

