

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5712 of 2022

Tapas Biswas

....

Petitioner

Mr. R.L. Pattnaik, Advocate

-Versus -

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

11.07.2022

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 18.05.2021 in connection with Orkel P.S. Case No.205 of 2019 corresponding to C.T. Case No.153 of 2019(A) pending in the Court of learned Sessions Judge-cum-Special Judge, Malkangiri for the alleged commission of offence under Sections 20(b)(ii)(C)/27-A/29 of N.D.P.S. Act.
4. It is alleged that one Biswajit was apprehended while carrying contraband ganja weighing 503 Kg 800 Grams in a Bolero Pick up vehicle. On interrogation, he disclosed the name of the present petitioner as having procured contraband from one Laikhan Hantal and that he was transporting the same to Chhatisgarh.
5. It is submitted that there is no other material except the statement of the co-accused as above.
6. Considering the submissions, materials on record, the period of detention in custody and keeping in view the ratio laid down by

the Supreme Court in the case of *Tofan Singh vs. State of Tamil Nadu*, reported in *(2020) 80 OCR (SC) 641*, 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

