

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5729 of 2022

Mrutyunjay Pradhan

....

Petitioner

Mr. B.R. Tripathy, Advocate

- Versus -

State of Odisha

....

Opposite Party

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

12.07.2022

Order No.
01.

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 30.03.2022 in connection with Boudh P.S. Case No.100 of 2022 corresponding to Special Case No.16 of 2022 (NDPS Act) pending in the Court of learned Sessions Judge-cum-Special Judge, Boudh for the alleged commission of offence under Sections 20(b)(ii)(C)/29 of NDPS Act.
4. It is alleged that three vehicles, one motor cycle, one Maruti Swift Dzire car and a Scorpio vehicle, were detained by Boudh Police while they were allegedly transporting contraband ganja. While nothing was seized from the possession of the rider of the motorcycle, 60 Kg of ganja was found from the Maruti Swift Dzire car and so far as the Scorpio vehicle is concerned, only 30 Kg of ganja was found. The petitioner was an occupant of the said Scorpio vehicle.
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 the period of detention in custody 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

