

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5736 of 2022

Bidyadhara Pradhan

....

Petitioner

Mr. Manoj Bihari Das, Advocate

- Versus -

State of Orissa

....

Opposite Party

Mr. S. Mishra, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

12.07.2022

Order No.
02.

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 01.03.2022 corresponding to 2(a)CC Case No. 11 of 2021 of the Court of learned 3rd Addl. Sessions Judge, Cuttack for the alleged commission of offence under Sections 21(b)(II)(C) of NDPS Act, 1985.
4. It is submitted that the petitioner was detained while he was in possession of contraband ganja weighing 28 Kgs.
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, 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