

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5804 of 2022

Sangram Swain

.... ***Petitioner***

Mr. S.K.Lenka,
Advocate

-versus-

State of Odisha

.... ***Opposite Party***

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

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
13.7.2022.

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 8th June, 2022 in connection with Phiringia P.S. Case No.102/2016 corresponding to C.T. Case No.99/2016 pending in the court of learned Sessions Judge-cum-Special Judge, Phulbani, for the

alleged commission of the offence under Sections 20(b)(ii)(C) of the N.D.P.S.Act.

4. It is submitted that nothing was seized from the possession of the Petitioner and he was apprehended in this case entirely on the basis of the statement of the co-accused person. The above submissions finds support from the F.I.R. that on interrogation of the I.O. the accused Raju Swain disclosed the name of the Petitioner and that he had been sent by him and the other accused to procure ganja.

5. Having regard to the submissions made, the materials on record, the period of detention already undergone and the ratio decided in the case of *Tofan Singh v. State of Tamil Nadu*; reported in (2020) 80 OCR (SC)-641, I am inclined to allow the prayer for bail.

6. Let the Petitioner be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter including the condition that he shall personally appear before the trial court on each date of posting of the case without fail.

7. The BLAPL is disposed of.

8. Urgent certified copy of this order be granted on proper application.

AKB

(Sashikanta Mishra)
Judge

