

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5820 of 2022

Aliya Mallick @ Eliya Mallick

....

Petitioner

*Mr. Srikanta Mahunta,
Advocate*

-Versus -

State of Odisha

....

Opposite Party

*Mr. S.K. Mishra,
Additional Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

13.07.2022

Order No.

1.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is in custody since 19.02.2022 in connection with Padampur P.S. Case No. 37 of 2022 corresponding to T.R. No. 39 of 2022 pending in the court of learned Addl. Sessions Judge-cum-Special Judge, Gunupur for the alleged commission of offence under Sections 20(b)(ii)(C) of NDPS Act.
4. It is alleged that the petitioner and another person were transporting contraband ganja weighing 70 kgs. in a car when they were apprehended by the police. It is submitted that the statutory formalities were not complied before search and seizure and the method of weighment of the seized article is also questionable.
5. Considering the above facts and 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.

6. The BLAPL is accordingly disposed of.

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

(Sashikanta Mishra)
Judge



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