

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5858 of 2022

Sibaram Mallick @ Shibaram Mallick **Petitioner**

Mr. U. Barik, Advocate

- Versus -

State of Odisha **Opposite Parties**

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

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
19.07.2022

Order No.
2.

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 04.05.2021 in connection with P.R. No. 24 pf 2021-22 corresponding to 2(a)CC Case No.29 of 2021 pending in the Court of learned 1st Addl. Sessions Judge-cum-Special Judge, Cuttack for the alleged commission of offence under Section 20(b)(ii)(c) of NDPS Act.
4. It is alleged that the petitioner was in possession of the contraband ganja weighing 60 Kg when he was apprehended by Excise staff.
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 above facts, the 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

