

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5976 of 2022

Rabi Kishore Pattnaik

....

Petitioner

Mr. A.R. Panda, Advocate

- Versus -

State of Odisha

....

Opp.Party

Mr. P. Tripathy,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

06.09.2022

Order No.
03.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned Addl. Standing Counsel for the State.
3. The petitioner is in custody since 06.02.2022 in connection with Machhkund P.S. Case No.14 of 2022 corresponding to T.R. Case No.24 of 2022 pending in the Court of learned Addl. Sessions Judge-cum-Special Judge, Koraput for the alleged commission of offence under Sections 20(b)(ii)(C) of NDPS Act.
4. It is alleged that five persons were transporting contraband ganja weighing 75 Kgs. 700 grams in three motorcycles when they were apprehended by police. In so far as the petitioner is concerned 28 Kgs 300 grams of contraband ganja was recovered from his possession. 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. Taking into consideration 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 the posting of the case without fail.

6. BLAPL is accordingly disposed of.
7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

