

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5044 of 2021

Sujit Bhoi

....

Petitioner

Mr. A.R. Panda, Advocate

-Versus -

State of Odisha

....

Opposite Party

*Mr.P. Tripathy,
Additional Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

10.08.2022

Order No.

4.

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 04.08.2019 in connection with Phiringia P.S. Case No. 68 of 2019 corresponding to C.T. Case No. 38 of 2019 pending in the court of learned District & Sessions Judge-cum-Special Judge, Phulbani for the alleged commission of offence under Sections 20(b)(ii)(C)/29 of NDPS Act.
4. It is alleged that the petitioner was transporting contraband ganja along with some other persons in a car when the car was detained by police. On search, ganja weighing 50 Kgs. 350 grams was recovered and seized. 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. It is further submitted that the petitioner is in custody for more than three years, but the trial is yet to conclude, even though it has

commenced.

5. Considering the submissions as above 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 the petitioner shall personally appear before the trial court on each date of posting of the case and in case of even a single default, NBW shall be issued to take him into custody.

6. The BLAPL is accordingly disposed of.

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

(Sashikanta Mishra)
Judge

B.C. Tudu

