

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6083 of 2022

Kirata Bhoi & others.

.... Petitioners

Mr. J. Panda, Adv.

- Versus -

State of Odisha

.... Opp.Party

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

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

16.09.2022

Order No.

2.

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. Learned counsel for the petitioners does not wish to press the bail application in respect of petitioner Nos. 1 and 3.
4. The bail application in respect of petitioner Nos.1 and 3 is dismissed as not-pressed.
5. The petitioner No.2 is in custody since 29.05.2022 in connection with M. Rampur P.S. Case No.137 of 2022 corresponding to C.T. Case No.33 of 2022(NDPS) pending in the Court of learned Sessions Judge-cum-Special Judge, Kalahandi Bhawanipatna for the alleged commission of offence under Sections 20(b)(ii)(C) of NDPS Act.
6. It is alleged that the petitioner No.2 and other two other persons were found in possession of contraband ganja weighing 20 Kg. 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.

7. Considering the fact that seized contraband is below the commercial quantity, I am inclined to allow the prayer for bail. Let the petitioner No.2- Bhaktabandhu Tandi 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.
8. BLAPL is accordingly disposed of.
9. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

