

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7204 of 2021

Amit Kumar Ram

.... ***Petitioner***
Mr.J.K.Panda, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr .M.K.Mohanty,A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
15.02.2022

Order No.

2. 1. This matter is taken up through Hybrid Arrangement (virtual/Physical Mode).
2. This is an application under Section 439 of the Code of Criminal Procedure filed by the Petitioner for bail in connection with Orkel P.S.Case No.17 of 2021, corresponding to Special G.R.Case No.14 of 2021, pending in the Court of the learned Sessions Judge-cum-Special Judge, Malkangiri for alleged commission of offences under Sections 20(b)(ii)C of N.D.P.S. Act, 1985.
3. Perused the records.
4. It is submitted by the learned counsel for the Petitioner that the alleged ganja was not seized from the exclusive possession of the Petitioner, nor the Petitioner has any knowledge regarding possession of ganja.
5. Learned counsel for the State opposes for grant of bail to the present Petitioner on the ground that the petitioner knowing very well about the contraband ganja, he was transporting the same along with other co-accused persons and such type of offence is increasing day

by day and no leniency should be shown to the Petitioner or similarly situated persons.

6. Upon consideration of the submissions made by the respective parties as well as on perusal of the records and on consideration of the peculiar facts and circumstances of the case as well as considering the long custodial detention of the Petitioner, I am inclined to release the Petitioner on bail in the above case, on furnishing a bail bond of Rs.50,000/- (Rupees Fifty thousand) with one local solvent surety for the like amount to the satisfaction of the learned court in seisin over the matter subject to condition that the Petitioner shall not indulge in such type of offence while on bail and shall appear before the concerned Police Station once in a fortnight between 10 A.M. and 1 P.M. till completion of trial. Further, it is open to the court in seisin over the matter to impose any additional condition (s), if situation so warrants.

7. It is further directed that the bail granted to the Petitioner is subject to the condition that learned court below shall verify whether the Petitioner has any criminal antecedents of similar nature. In the event it is found that the Petitioner has any criminal antecedents of similar nature, this bail order shall automatically stand revoked.

8. The BLAPL is accordingly disposed of.

9. Issue urgent certified copy of this order as per Rules.

RKS

(**A.K. Mohapatra**)
Judge