

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8494 of 2021

Ghananta Khatua

....

Petitioner

Mr. A. Das
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P. Tripathy
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

21.7.2022.

Order No.

07.

1. This matter is taken up through hybrid mode.
2. The name of Mr. Debasnan Das and associates be deleted from the cause list.
3. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
4. The Petitioner is in custody since 3rd June, 2021 in connection with Dasapala P.S. Case No.91/2021 corresponding to Special G.R. Case No.76/2021 pending in the court of learned Special Judge-cum-Sessions Judge, Nayagarh for the

alleged commission of the offence under Section 20(b)(ii)(C)/29 N.D.P.S. Act.

5. It is alleged that the Petitioner and two other persons were transporting contraband ganja weighing 92 kgs. 200 grams in a Bolero vehicle when they were apprehended by Police. It is submitted that the Petitioner had taken a lift in the vehicle, which was being driven by one Sk. Suleman and as such had no knowledge regarding the contents of the vehicle. It is further submitted that Sk. Suleman has, in the mean time, been granted bail as per the order passed by this Court in BLAPL No.8188/2021.

6. Taking into consideration all the above facts, the period of detention in custody without commencement of trial and the fact that similarly placed co-accused has already been released on bail, I am inclined to allow the prayer for bail. Let the Petitioner be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case including the condition that he shall appear before the court below on each date of posting of the case without fail.

7. It is made clear that while releasing the Petitioner on bail, learned court below shall obtain a report with regard to his criminal antecedents and if it is found that he has similar criminal antecedents, this order shall not be given effect to.

8. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

