

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9028 of 2021

Buti Rana

...

Petitioner

Mr. A.K. Sahoo, Advocate

- Versus -

State of Odisha

...

Opposite Party

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

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

03.01.2022

Order No.

1.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Addl. Standing Counsel.
3. The petitioner is in custody since 27.09.2021 in connection with Special G.R. Case No. 29 of 2021 of the Court of learned Sessions judge-cum- Special Judge, Deogarh for the commission of offence under Sections 20(b)(ii)(B) of NDPS Act, 1985.
4. It is alleged that on 27.09.2021 when the Excise Officials were conducting patrolling duty, they found that the present petitioner was illegally transporting 15 kg of ganja without any authority. The said ganja was seized from exclusive and conscious possession and accordingly, the case was registered against him and he was taken into custody.
5. It is submitted by learned counsel for the petitioner that nothing was seized from his exclusive and conscious possession and that the case has been falsely foisted against the petitioner.

6. Learned Addl. Standing Counsel has opposed the prayer for bail by submitting that the petitioner appears to be a habitual offender and if he released, he may commit the same crime.

7. Having regard to the nature of allegations and the quantity of ganja allegedly seized from the possession of the petitioner, which is less than the commercial quantity, 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 IIC, Reamal Police Station once in a week till submission of final P.R.

8. BLAPL is accordingly disposed of.

9. Issue urgent certified copy as per rules.

A.K. Rana

(Sashikanta Mishra)
Judge

