

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9036 of 2021

Dasa Hantala

....

Petitioner

Mr. S.K.Nayak,
Advocate

-versus-

State of Odisha

....

Opposite Party

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

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

03.01.2022.

Order No.

01. 1. This matter is taken up through hybrid mode.
2. Heard Mr. S.K.Nayak, learned counsel for the Petitioner and Mr. S.K.Mishra, learned Addl. Standing Counsel for the State.
3. The petitioner is in custody since 2nd August 2021 in connection with Koraput G.R.P.S. Case No.5/2021 corresponding to T.R. Case No.63/2021 pending in the court of learned Addl. District and sessions Judge-cum-Special Judge, Koraput for the alleged commission of the offence under Section 20 (b) (ii) (B) of the NDPS Act.

4. The prosecution allegation is that the Petitioner was detained on suspicion by RPF Staff at Koraput Railway Station and on further checking a packet wrapped with brown colour plastic was found from his possession, from which smell of ganja was coming out. On interrogation, the accused is said to have confessed that he was carrying ganja weighing 10 kg. 800 grams.

5. It is submitted by learned counsel for the Petitioner that the Petitioner was detained by RPF, Koraput, as he had no valid ticket to travel. So far as the allegation relating to possession of ganja is concerned, it is submitted that the same is entirely false and nothing was seized from his possession.

6. Learned Addl. Standing Counsel for the State, on the other hand, opposed the prayer for bail by submitting that more than 10 kgs of ganja was found from the exclusive and conscious possession of the Petitioner which prima facie shows his complicity in the occurrence.

7. Having regard to the submissions made, the materials on record and the fact investigation into the case has progressed substantially as also the fact that the seized contraband is less than commercial quantity, I am inclined to take a lenient view in the matter.

8. Let the Petitioner- Dasa Hantala be released on bail on such terms and conditions as may be imposed by the court in seisin

over the matter including the condition that he shall appear before the I.I.C. of Koraput G.R. P.S. on every Monday at 10.30 A.M. till submission of charge sheet.

9. The BLAPL is disposed of.

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

AKB



(Sashikanta Mishra)
Judge