

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9126 of 2021

Sanny Patra

...

Petitioner

Mr. A.R. Panda, Advocate

- Versus -

State of Odisha

...

Opposite Party

Mr. P. Tripathy,

Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

04.01.2022

Order No.

1.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Addl. Standing Counsel for the State.
3. The petitioner is in custody since 04.09.2021 in connection with Balliguda Excise P.R. No. 38 of 2021 corresponding to 2(a) CC No. 13 of 2021 of the Court of learned Addl. District & Sessions Judge-cum-Special Judge, Balliguda for the alleged commission of offence under Sections 20(b)(ii)(B) of NDPS Act, 1985.
4. It is alleged that the petitioner was found to be transporting ganja weighing 10kg in his motorcycle.
5. Learned counsel for the petitioner submits that nothing was seized from the exclusive and conscious possession of the petitioner.
6. Learned Addl. Standing Counsel has opposed the prayer for bail by submitting that the petitioner's complicity in the occurrence is well proved from the materials on record.

7. Having regard to the submissions made, the materials on record, the period of detention already undergone as also the fact that the seized contraband 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 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.

A.K. Rana



(Sashikanta Mishra)
Judge