

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9174 of 2021

Akash Sendria

.... Petitioner

Mr. S.K.Jena,
Advocate

-versus-

State of Odisha

.... Opposite Party

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

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

04.01.2022.

Order No.

01. 1. This matter is taken up through hybrid mode.
2. Heard Mr. S.K.Jena, learned counsel for the Petitioner and Mr. S.K.Mishra, learned Addl. Standing Counsel for the State.
3. The Petitioner is in custody since 27th August, 2021 in connection with Baragarh Town P.S. Case No.386 of 2021 pending in the court of learned District and Sessions Judge, Bargarh corresponding to C.T.(Special) Case No.44/2021 for the alleged commission of the offence under Sections 274/275 of IPC read with Section 2 of Orissa Amendment Act 3 of 1999/13 Drugs and Cosmetics Act and Section 21(b) of the

N.D.P.S. Act. It is alleged that the Petitioner was in possession of 1507 bottles of sealed Escuf cough syrup containing in all 301.4 gms of codeine phosphate and about 5 litres adulterated cough syrup liquid and blank strip Nitrozepam Tablet IP (Nitrosun 10).

4. It is submitted by the learned counsel for the Petitioner that since in the mean time charge sheet has been submitted, his further detention is no longer required.

5. Learned Addl. Standing Counsel for the State, on the other hand, opposed the prayer for bail by submitting that the material on record clearly proves the complicity of the Petitioner in the occurrence.

6. Having regard to the submissions made, the materials on record, the period of detention already undergone and the fact that charge sheet has already been submitted in the case as also fact that the seized contraband is less than commercial quantity, I am inclined to allow the prayer for bail.

7. Let the Petitioner- Akash Sendria 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 trial court on each date of posting of the case without fail.

8. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

