

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9670 of 2021

Basu Khemundu @ Basu Mucham		Petitioner
		Mr. A. R. Panda, Advocate
	- Versus -	
State of Odisha		Opposite Party
		Mr. P.K. Maharaj, Addl. Standing Counsel

**CORAM:
JUSTICE SASHIKANTA MISHRA**

**ORDER
19.04.2022**

Order No.
2.

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 01.07.2021 in connection with Jeypore Sadar P.S. Case No.118 of 2021 corresponding to T.R. Case No.51 of 2021 pending in the Court of learned Sessions Judge-cum-Special Judge, Koraput for the alleged commission of the offence under Sections 20 (b)(ii)(C)/29 of the N.D.P.S. Act.
4. As per the FIR, an auto rickshaw was detained by the staff of Jeypore Sadar Police Station and on search two bags of ganja weighing 50 kgs in all were found. But in so far as the present petitioner is concerned, only a mobile phone was seized from his exclusive possession. It is submitted that the petitioner was an occupant of the vehicle having taken the same on hire but had nothing to do with the contraband being kept in the vehicle.
5. Considering the submissions as above, and the fact that nothing has been seized from the exclusive and conscious possession of the petitioner except for a mobile phone as also the

fact that charge sheet has already been submitted in the case, 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 personally before the court below on each date of posting of the case without fail.

6. The BLAPL is disposed of.

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

(Sashikanta Mishra)
Judge

A.K. Rana

