

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9789 of 2021

Mahendra Dalei

....

Petitioner

Mr. A.R. Panda, Advocate

- Versus -

State of Odisha

.... **Opposite Party**

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

12.05.2022

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 29.08.2021 in connection with Mudulipada P.S. Case No.65 of 2021 corresponding to Special G.R. Case No.85 of 2021 pending in the Court of learned Sessions Judge-cum-Special Judge, Malkangiri for the alleged commission of offence under Sections 20(b)(ii)(C)/25/27/29 of NDPS Act.
4. As per the prosecution case two vehicles were detained on suspicion. Out of the said two vehicles, contraband ganja weighing 1520 Kgs 650 grams was found in one. In so far as the other vehicle is concerned, it is a Maruti Suzuki Alto Car bearing registration no.OD-10H-0311 but nothing was recovered from it. It is alleged that the said vehicle was escorting the other vehicle in which the contraband was being transported. It is submitted by learned counsel for the petitioner that the petitioner was travelling in the Maruti vehicle from which nothing was seized.

5. Learned Addl. Standing Counsel also fairly submits that no contraband was seized from the Maruti Vehicle.

6. Considering the submissions as above, the materials on record as also taking into account the period of detention in custody without commencement of trial, 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 and in case of even a single default, NBW shall be issued by the said Court to take him to custody again.

7. BLAPL is accordingly disposed of.

8. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

