

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9825 of 2021

Sk. Atahar Hussen @ Bhikari

....

Petitioner

Mr. Jaydeep Pal,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

19.4.2022.

Order No.

02.

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 19th September, 2021 in connection with Jaleswar P.S. Case No.307/2021 corresponding to Special Case No.245/2021 pending in the court of learned District and Sessions Judge-cum-Spl. Judge, Balasore for the alleged commission of the offence under Section 21(c)/29 of the N.D.P.S. Act.

4. It is submitted that even as per the prosecution case, the Petitioner was implicated on the basis of the statement of the co-accused, despite the fact that no incriminating material was found either from his possession or from his house during raid conducted by the Police.

5. Having regard to the submissions as above, the period of detention in custody and the fact that nothing was seized from the Petitioner, I am inclined to allow the prayer for bail.

6. 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 before the court below on each date of posting of the case without fail and he shall appear before the I.I.C. of Jaleswar P.S. once every week till submission of charge sheet.

7. The BLAPL is disposed of.

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

AKB c

(Sashikanta Mishra)
Judge

