

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9991 of 2021

Gopinath Kanhar & Anr.

...

Petitioners

Mr.M. Das, Advocate

- Versus -

State of Odisha

...

Opposite Party

Mr. P.K. Maharaj, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

09.05.2022

Order No.

2.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned Addl. Standing Counsel for the State.
3. The petitioners are in custody since 17.10.2021 in connection with Tikabali P.S. Case No.73 of 2021 corresponding to C.T. No.61 of 2021 pending in the Court of learned Special Judge –cum-Addl. District and Sessions Judge, Baliguda for the alleged commission of offence under Sections 20(b)(ii)(C) of NDPS Act.
4. It is alleged that the petitioners were attempting to transport ganja weighing 64 kg while they were apprehended.
5. It is submitted that the so called seizure was made in a public place and the bags containing ganja were kept on the road and nothing was seized from the exclusive possession of the petitioners.
6. Considering the submissions as above, the materials on record and the period of detention in custody without commencement of trial, I am inclined to allow the prayer for bail.

Let the petitioners 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 they shall personally appear before the trial Court on each date of posting of the case without fail.

7. BLAPL is accordingly disposed of.

8. Issue urgent certified copy as per rules.

A.K. Rana

(Sashikanta Mishra)
Judge

