

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10164 of 2021

Raghunath Majhi

....

Petitioner

Mr. S. Mahunta
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S.K.Mishra
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

10.5.2022.

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 30th October, 2021 in connection with Inspector of Excise Gunupur Range, Gunpur P.R. No.31/2021 corresponding to T.R. Case No.98/2021 pending in the court of learned Addl. Sessions Judge-cum-Special Judge, Gunupur for the alleged commission of the offence under Section 20 (b)(ii)(C) of the N.D.P.S.Act.

4. The prosecution allegation is that the Petitioner had stored huge quantity of contraband ganja in the backyard of his house for transportation and when the Excise staff conducted raid, seized the contraband article. A perusal of the prosecution report reveals that the seizure was made not from the house of the Petitioner, but from a jungle, which is situated at the rear of the Petitioner's house. There is no other material to show that the ganja was stored in the jungle at the instance of the Petitioner.

5. Having regard to the above facts and the period of detention in custody without trial, 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 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.

AKB

(Sashikanta Mishra)
Judge

