

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10302 of 2021

Tukuna Sahu

....

Petitioner

Mr. B.R. Tripaty, Advocate

-Versus -

State of Odisha

....

Opposite Party

Mr. A. Pradhan,

Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

11.02.2022

Order No.
02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is in custody since 01.07.2021 in connection with Balimela Excise P.R. No. 16 of 2017-18 corresponding to C.T. Case No. 82 of 2017 pending in the court of learned Sessions Judge-cum-Special Judge, Malkangiri for the alleged commission of offence under Section 20(b)(ii) (C) of the NDPS Act.
4. It is submitted that nothing was seized from the possession of the petitioner and in fact he had also not been named in the FIR, but only because he happens to be the registered owner of the vehicle in question, he has been entangled in the case.
5. Learned Additional Standing Counsel while opposing the prayer for bail does not dispute the factual contention as

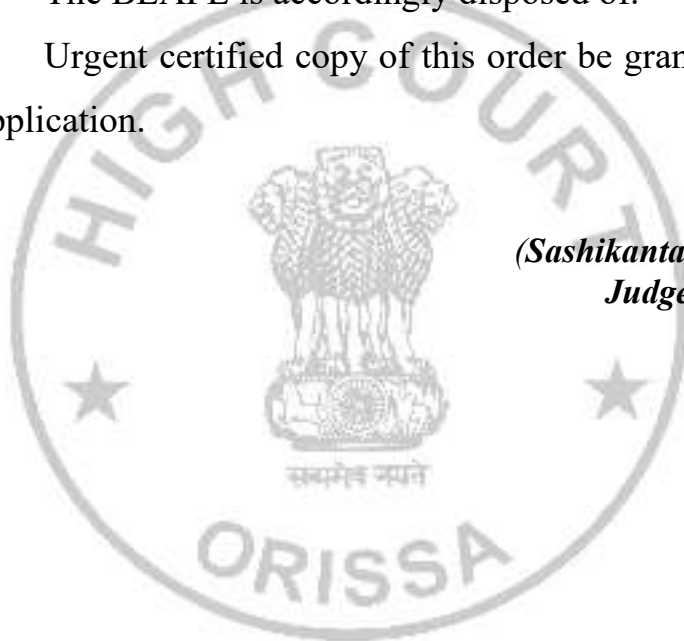
above.

6. Considering the submissions made, the materials on record, the period of detention already undergone and the fact that no seizure was made whatsoever from the possession of the petitioner, I am inclined to allow the prayer for bail. Let the petitioner be released on bail 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 appear personally before the trial court on each date of posting of the case without fail.

7. The BLAPL is accordingly disposed of.

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

(Sashikanta Mishra)
Judge



B.C. Tudu