

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9413 OF 2020

Gajendra Singh

..... ***Petitioner***
Mr. S.K. Das, Advocate

-versus-

State of Odisha

..... ***Opposite Party***
Mr. P. Mohapatra, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
16.05.2022

Order No.

08.

1. This matter is taken up through Hybrid Mode.
2. The petitioner is an accused in 2(a) C. C. Case No. 01 of 2020 on the file of the learned Sessions Judge-cum- Special. Judge, Mayurbhanj arising out of P.R. No. 43 of 2020-21 alleged for commission of offence Under Sections- 20(b)(ii)(c) of the NDPS Act.
3. Being aggrieved by the rejection of his application for bail U/Sec. 439 Cr.P.C by the learned. Sessions Judge-cum-Special. Judge, Mayurbhanj by Order dtd. 15.12.2020 in 2(a) C.C. Case No. 01 of 2020, the present BLAPL has been filed.
4. Heard Mr. S.K. Das, learned counsel for the petitioner and Mr. P.Mohapatra, learned counsel for the State.

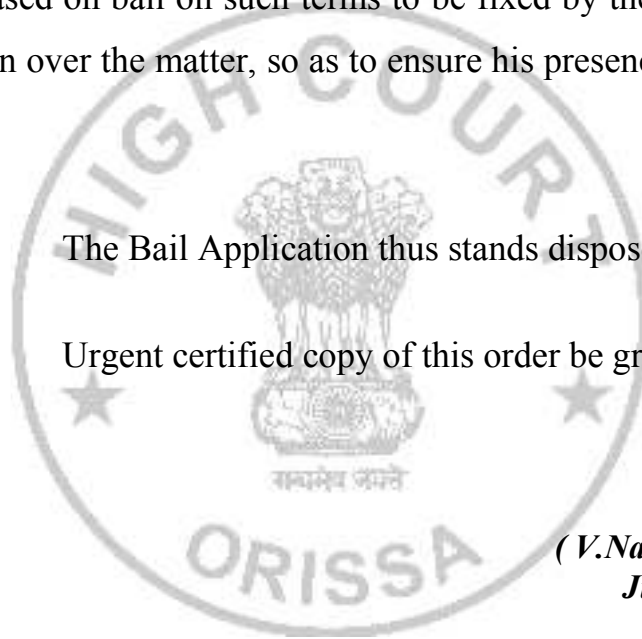
5. Learned counsel for the petitioner submits that from the manner of seizure of the contraband, it cannot be said that the petitioner was in conscious and exclusive possession of the same in as much as there is no materials on record to connect the petitioner with the alleged crime.

6. Taking into account, the period of custody and the role ascribed to the petitioner, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter, so as to ensure his presence on each date of trial.

7. The Bail Application thus stands disposed of.

8. Urgent certified copy of this order be granted as per rule.

Balaram



(V.Narasingh)
Judge