

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10756 of 2021

Chitanya Digal

.... **Petitioner**

Mr. S. Das, Advocate

- Versus -

State of Odisha

.... **Opposite Party**

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

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

12.05.2022

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 19.06.2021 in connection with Tarva P.S. Case No.115 of 2021 corresponding to Special G.R. Case No.5 of 2021 pending in the Court of learned Sessions Judge-cum-Special Judge, Sonapur for the alleged commission of offence under Section 20(b)(ii)(C)/25/29 of NDPS Act.
4. It is alleged that the petitioner was apprehended along with two other persons while they were carrying contraband ganja weighing 30.532 kgs in a car. It is submitted that nothing was seized from the exclusive and conscious possession of the petitioner and that statutory formalities of the NDPS Act have not been followed. That apart, there is doubt regarding the actual weight of ganja, inasmuch as the mode of weighment is doubtful.
5. Considering the submissions and the period of detention in custody, I am inclined to allow the prayer for bail. Let the petitioner 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 he shall personally appear before the trial Court on each date of posting of the case without fail.

6. BLAPL is accordingly disposed of.
7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

