

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10879 of 2021

Sk. Mubarak

....

Petitioner

Mr. L. Achari, Advocate

- Versus -

State of Odisha

.... **Opposite Party**

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

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

20.04.2022

Order No.

3.

1. This matter is taken up through hybrid mode.
2. Mr. L. Achari, learned counsel has entered appearance for the petitioner after obtaining consent from the previous counsel.
3. Heard learned counsel for the petitioner and learned Addl. Standing Counsel for the State.
4. The petitioner is in custody since 22.01.2021 in connection with Tangi P.S. Case No.411 of 2021 corresponding to T.R. Case No.147 of 2021 pending in the Court of learned 1st Addl. Sessions Judge-cum-Special Judge under NDPS Act, Khurda for the alleged commission of offence under Sections 21(b)(ii)(C)/25/27-A/29 of Arms Act.
5. The allegation is that the petitioner and two other persons were apprehended while they were transporting 31 kg 400 grams of ganja in a car. It is submitted that the petitioner is the driver of the vehicle while other two occupants had taken the vehicle on hire and on being apprehended by police both of them fled away leaving the petitioner at the spot.

6. Considering the above facts and taking into account the period of detention of the petitioner 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.
7. BLAPL is accordingly disposed of.
8. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

