

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11047 of 2021

Krushna Machha

....

Petitioner

Mr. P.K.Nanda
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.S.K.Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

15.3.2022.

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard Mr. P.K.Nanda, learned counsel for the Petitioner and Mr.S.K.Mishra, learned Addl. Standing Counsel for the State.
3. The Petitioner is in custody since 9th September, 2021 in connection with Chitrokonda P.S. Case No.111/2021 corresponding to G.R. Case No.88/2021 pending in the court of learned Sessions Judge-cum-Special Judge, Malkangiri, for the alleged commission of the offence under Sections 20(b)ii)(C)/27-A of N.D.P.S. Act.

4. It appears that the Petitioner was implicated in the case only on the basis of the statement of the driver of the auto rickshaw in which the contraband was allegedly being transported. As such, there was no seizure from the exclusive and conscious possession of the Petitioner.

5. Considering the submissions made and the materials on record, 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 trial court 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