

(2022) 03 OHC CK 0081

In the Orissa High Court

Case No : Bail Application No. 10074 Of 2021

J. Landa @ Siba Shankar Dora

APPELLANT

Vs

State of Odisha

RESPONDENT

Date of Decision : 15-03-2022

Acts Referred:

Narcotic Drugs and Psychotropic Substances Act, 1985 — Section 20(b)(ii)(C), 25, 29

Citation : (2022) 03 OHC CK 0081

Hon'ble Judges : Sashikanta Mishra, J

Bench : Single Bench

Advocate : T.K.Acharya, S.K.Mishra

Final Decision : Disposed Of

Judgement

Sashikanta Mishra, J

1. This matter is taken up through hybrid mode.
2. Heard Mr. T.K.Acharya, learned counsel for the Petitioner and Mr. S.K.Mishra, learned Addl. Standing Counsel for the State.
3. The petitioner is in custody since 31st August, 2021 in connection with Pattapur P.S. Case No.213/2021 corresponding to G.R. Case No.32/2021(N) pending in the court of learned Sessions Judge-cum-Special Judge, Ganjam for the alleged commission of the offence under Sections 20(b)(ii)(C)/25/29 of N.D.P.S. Act.
4. It appears that in course of raid in the house of one Santosh Mallik, contraband Ganja owing 3157 kgs. was found and seized and on the basis of his so called confessional statement, the Petitioner was arrested two months later.
5. Considering the submissions as above, the materials on record, the period of detention already undergone, the fact that nothing was seized from the exclusive and conscious possession of the Petitioner and he was implicated only on the basis of the statement of the co-accused, I am inclined to allow the prayer for

bail.

6. Let the Petitioner be released on bail in the aforesaid case on such terms and conditions as may be imposed by the court in seisin over the matter including the condition that he shall furnish cash security of Rs.1,00,000/- (Rupees One Lakh). Further he shall appear before the trial court below on each date of posting of the case, failing which N.B.W. shall be issued against him to take him to custody again, he shall appear before the I.I.C. of Pattapur P.S. on every Monday for a period of six months and such fact shall be certified by the I.I.C. to the concerned court once every month.

7. The BLAPL is disposed of.

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

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