

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4724 of 2021

Sarbeswar Muduli

....

Petitioner

Mr. T.P. Mohapatra, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. D.K. Pani, A.S.C.

CORAM:

JUSTICE B. P. ROUTRAY

ORDER

04.02.2022

Order No.

03.

1. This matter is taken up through video conferencing.
2. This is an application under Sec.439 Cr.P.C. for bail and the offence alleged is under Sec.21(b) of the NDPS Act for alleged possession of brown sugar (heroin) weighing 50 grams.
3. Heard Mr. T.P. Mohapatra, learned counsel for the Petitioner as well as Mr. D.K. Pani, learned A.S.C. for the State-Opposite Party.
4. It is submitted that the Petitioner is inside custody since 23.3.2021 and in the meantime investigation has been completed. It is also submitted that he has no criminal antecedent.
5. After hearing learned A.S.C. for the State-Opposite Party and considering the period of detention of the Petitioner inside

custody vis-à-vis the quantity of contraband, which is below the commercial quantity, it is directed to release the Petitioner on bail in connection with Puri Excise P.R. No.135/2020-21 corresponding to T.R. No.68/2021 on such terms and conditions to be fixed by the learned Special Judge, Puri as he deems just and proper including the condition that the Petitioner shall not be involved in any other offence while on bail and shall appear before the I.O. as and when directed.

6. The BLAPL is accordingly disposed of.

7. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020 as modified by Court's Notice No.4798, dated 15th April, 2021 and Court's Office Order circulated vide Memo No.514, dated 7th January, 2022.

(B.P. Routray)
Judge