

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No. 5190 OF 2021

Kasturi Digal

..... ***Petitioner***
Mr. Mahes Das, Adv.

-versus-

State of Odisha

..... ***Opposite Party***
Mr.P.Mohapatra, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
24.06.2022

Order No.
03.

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The Petitioner is an accused in connection with C.T. Case No.5 of 2021 arising out of K.Nuagaon P.S. Case No. 7of 2021 on the file of learned Addl. District and Sessions Judge. Baliguda, registered for the alleged commission of offence under Sections 20(b)(ii)(C)/25&29 of the NDPS Act.
4. Being aggrieved by the rejection of his application for bail U/s 439 Cr.P.C. by the learned Addl. District and Sessions Judge. Baliguda, by order dated 24.06.2021, the present BLAPL has been filed. The petitioner is stated to be in custody since 22.01.2021.
5. It is submitted by learned counsel for the petitioner that the petitioner was an innocent passenger in the vehicle from which the contraband was seized and in fact the other two occupants including the

driver jumped from the vehicle seeing the police party for which the vehicle was capsized. It is submitted that the petitioner is a victim of circumstances as such conscious exclusive possession cannot be attributed to her.

6. Learned counsel for the State opposes the prayer for bail keeping in view the bar contained Under Section 37 of the NDPS Act.

7. Considering the period of custody and that the petitioner is a lady (senior citizen), this Court directs that the petitioner shall be released on bail. The terms shall be fixed by the learned court in seisin over the matter.

8. Accordingly, the BLAPL stands disposed of.

9. Issue urgent certified copy of this order as per Rules.

(*V.Narasingh*)
Judge

Dhal

