

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6664 of 2022

Narendra Samal

....

Petitioner

Mr. A.R. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

02.11.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in Special Case No.157 of 2022, pending in the file of learned Sessions Judge-cum-Special Judge, Balasore, arising out of Nilagiri Excise P.R. No. 70 of 2022, for alleged commission of offence under Sections 21(b) of the NDPS Act and is in custody since 23.06.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge-cum-Special Judge, Balasore by order dated 07.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. Taking into account the period of custody and that charge sheet has already been filed on 20.08.2022 and since the seizure of the contraband (Brown Sugar) to the tune of 60 gms is admittedly

less than the commercial quantity as prescribed, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

7. While enlarging the petitioner on bail the learned court below shall verify assertion regarding his criminal antecedent of similar nature. If it comes to the fore that the petitioner has any such criminal antecedent this order shall stand recalled.

8. Accordingly, the BLAPL stands disposed of.

9. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge

Santoshi

