

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6684 of 2022

Rafiqul Molla and another ***Petitioners***

Mr. A.K. Das 1, 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 petitioners and learned counsel for the State.
3. The petitioners are accused in Special Case No.110 of 2022, pending in the file of learned Sessions Judge-cum-Special Judge, Balasore, arising out of P.R. No. 40 of 2022-23, for alleged commission of offence under Sections 21(b)(ii)(B) of the NDPS Act and is in custody since 18.05.2022.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Sessions Judge-cum-Special Judge, Balasore by order dated 05.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. Since the seizure of the contraband (ganja) to the tune of 10Kgs is admittedly less than the commercial quantity as

prescribed, this Court directs the petitioners to be released on bail on such terms to be fixed by the Court in seisin over the matter.

7. While enlarging the petitioners on bail the learned court below shall verify assertion regarding their criminal proclivity. If it comes to the fore that the petitioners have any criminal antecedent this order shall stands recalled.

8. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi

