

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7375 of 2022

Sudarsan Sahoo

....

Petitioner

Mr. Deepak Ku. Sahoo, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

01.12.2022

Order No.

02.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner is an accused in T.R Case No.98 of 2022, pending before the learned Sessions Judge, Kendrapara, arising out of P.R. No.55 of 2022-23, for commission of alleged offences under Section 21(a)/29 of NDPS Act.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Special Judge, Kendrapara by order dated 28.07.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted by the learned counsel that the Petitioner is in custody since 22.07.2022 for allegedly possessing contraband to the tune of 17gms of brown sugar.
5. It is submitted that admittedly the same is less than the commercial quantity as prescribed and on instruction learned

counsel submits that the final P.R. has been submitted on 12.09.2022 and also the petitioner is the first offender, hence further continuance of the petitioner in custody is unwarranted. The final P.R. filed in Court is taken on record.

6. Learned counsel for the State opposes the prayer for bail.

7. Considering the nature of accusation and submission of final P.R. and that the petitioner is the first offender, this Court directs the Petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

8. While releasing the petitioner on bail, the learned Court below shall verify assertion regarding criminal antecedent of similar nature. If the Petitioner has such antecedent, this order shall stand recalled.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

PKS