

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7864 of 2022

Pradip Kumar Sahoo

....

Petitioner

Mr. S.S. Ray-2, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. G.R. Mohapatra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
10.11.2022

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 T.R. Case No.282 of 2022, pending on the file of learned Sessions Judge, Khurda at Bhubaneswar, arising out of P.R. No.60 of 2022-23, for commission of the alleged offence under Section 21(b) of the NDPS Act and is in custody since 21.07.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Khurda at Bhubaneswar by order dated 27.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the Petitioner that final P.R has been filed on 19.09.2022 and the contraband (heroin) is to the tune of 43 grms., which is admittedly less than the commercial quantity. It is further submitted that the Petitioner does

not have any criminal antecedent. Hence, he may be released on bail. The final P.R. filed in Court today be kept on record.

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

7. Taking into account that the Petitioner is a first offender and that final P.R. has already been filed, this Court directs the Petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

8. Learned Court in seisin over the matter shall also verify the criminal antecedents of similar nature. If it comes to the fore that the Petitioner has any such criminal antecedent, this order shall stand recalled.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

PKS