

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7945 of 2022

Surendra Mukhi

....

Petitioner

Mr. M. Das, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
05.09.2022

Order No.

01.

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 2(a)CC Case No.16 of 2022 pending in the file of learned Special Judge-cum-Additional District and Sessions Judge, Balliguda, arising out of Excise P.S. G.Udayagiri P.R. Case No.37 of 2022-23, offence under Sections 20(b)(ii)(B) of the NDPS Act and is in custody since 31.07.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Special Judge-cum-A.D.J. Balliguda, Dist-Kandhamal by order dated 04.08.2022 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 05 kgs. 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. Additionally, it is directed that one of the sureties shall be immediate family member.

8. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi

