

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8341 of 2022

Sudam Nayak

....

Petitioner

Mr. A. Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

15.09.2022

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 Spl. G.R.(NDPS) Case No.50 of 2022, pending in the file of learned Additional Sessions Judge-cum-Special Judge, Jajpur Road, Dist-Jajpur, arising out of Jajpur Road P.S. Case No.425 of 2022, offence under Sections 20(b)(ii)(B) of the NDPS Act and is in custody since 29.06.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge-cum-Special Judge, Jajpur Road by order dated 26.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.

6. Admittedly seizure of the contraband (ganja) is to the tune of 16 kg 40 gms., which is admittedly less than the commercial quantity as prescribed.
7. Taking note of the same, this Court directs the petitioner to be released on bail on such terms and conditions to be fixed by the learned Court in seisin over the matter.
8. It is submitted by the learned counsel for the petitioner that the petitioner has no criminal proclivity. While enlarging the petitioner on bail the learned court below shall verify such assertion. If it comes to the fore that the petitioner has any criminal antecedent this order shall stand recalled.
9. Additionally, it is directed that petitioner shall appear before the jurisdictional police station once every week till the conclusion of trial.
10. Accordingly, the BLAPL stands disposed of.
11. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge