

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8415 of 2022

Samir Pradhan

....

Petitioner

Mr. A. Das, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

12.10.2022

I.A. No.1754 of 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. This I.A. has been filed for modification of order dated 16.09.2022.
4. This Court while directing the release of the petitioner by order dated 16.09.2022 has specifically noted the submission made at the bar that the petitioner has no criminal antecedent.
5. It is submitted by the learned counsel for the petitioner that he had no instruction that petitioner had an antecedent though not of similarly nature, hence seeks for modification. And, that his submission qua antecedent was bonafide.
6. It is apt to state that, this Court directed release of the petitioner who is alleged to have committed an offence under Section 20(b)(ii)(C)/29 of the NDPS Act.

7. Considering the nature of implication in the case at hand and accepting the explanation rendered by the learned counsel for the petitioner, this Court is persuaded to modify the order 16.09.2022 and Para-9 of the order relating to criminal antecedent stands recalled.

8. Other stipulations are unaltered.

9. Learned Court in seisin is requested to act on receipt/production of certified copy of the order in the connected BLAPL along with the order passed in this I.A.

10. The I.A. accordingly stands disposed of.

11. Before parting with the same this Court hopes that the learned counsel before making submission shall exercise due diligence.

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

(V. NARASINGH)
Judge

Santoshi