

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8441 of 2022

Chintu Behera

....

Petitioner

Mr. M. Das, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
16.09.2022

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 accused in 2(a) CC Case No.19 of 2022 arising out of OIC of Excise P.S., Balliguda P.R. No.54 of 2022-23, pending in the Court of the learned Special Judge -cum- Additional District & Sessions Judge, Balliguda, for the alleged commission of offences under Section 20(b)(ii)(B) of NDPS Act.
4. Being aggrieved by the Rejection of his application for bail U/s.439 Cr.P.C. by the learned Special Judge -cum- Additional District & Sessions Judge, Balliguda, by order dated 23.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. Admittedly since the seizure of the contraband (ganja) to the tune of 10 kgs is 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. While releasing 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 without any further reference to this Court.
8. Accordingly, the BLAPL stands disposed of.
9. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

Ayesha

