

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8448 of 2022

Prashanta Mallick

....

Petitioner

Mr. B.R. Tripathy, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

16.11.2022

Order No.

03.

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.7 of 2022, pending in the file of learned Sessions Judge-cum-Special Judge, Boudh, arising out of P.R. Case No.85 of 2021-22 of OIC Excise Station, Boudh, for commission of alleged offences under Sections 20(b)(ii)C/25/29 of NDPS Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge-cum-Special Judge, Boudh by order dated 06.04.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that the petitioner is a young man of 25 years and is a first offender. It is further submitted that taking into account the manner in which seizure of contraband to the tune of 45 Kgs has been made and as

final P.R. has been submitted, further continuance of the petitioner in custody is not warranted.

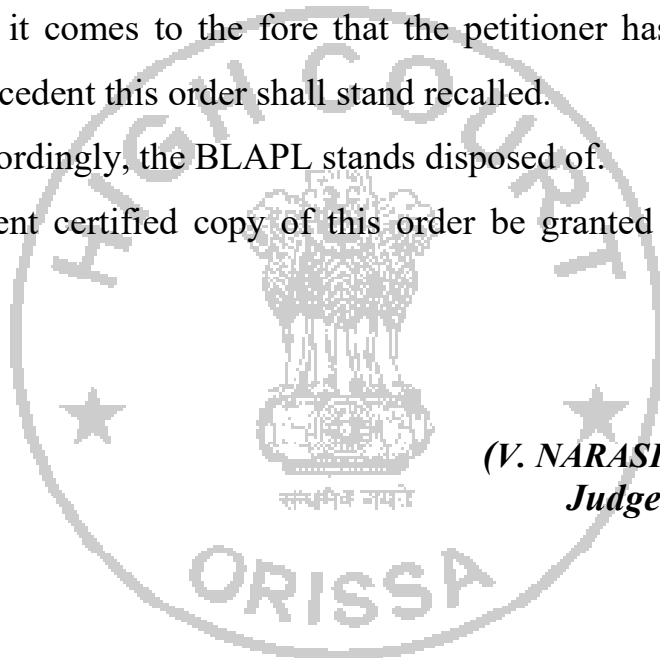
6. Learned counsel for the State opposes the prayer for bail.

7. Considering the age of the petitioner and keeping in view the bleak chance of early trial, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

8. While enlarging the petitioner on bail the learned court below shall verify assertion regarding criminal antecedent of the petitioner. 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 the rules.



(V. NARASINGH)
Judge

Santoshi