

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8526 of 2022

Sibaram Dalai

....

Petitioner

Mr. B.K. Nayak, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
19.09.2022

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 G. Udayagiri P.R. Case No.44 of 2022-23 corresponding to 2(a) C.C. Case No.21 of 2022, pending before the learned Additional Sessions Judge -cum- Special Judge, Balliguda, for alleged commission of offences under Section 20(b)(ii)(B) of the 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- A.D.J., Balliguda, Kandhamal, by order dated 30.08.2022 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 8kgs 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. It is submitted that the petitioner has no criminal proclivity, 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.

Ayesha



(V. NARASINGH)
Judge