

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8535 of 2022

Karu @ Dharmu Behera

....

Petitioner

Mr. C. Rout, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, 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 an accused in C.T.(Spl.) NDPS Case No.12 of 2022, pending on the file of the learned Spl Judge-cum-Additional District and Sessions Judge, Talcher, arising out of Barrage P.S. Case No.240 of 2022, offences under Sections 21(b) of the NDPS Act and is in custody since 22.08.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Special Judge, Talcher, by order dated 25.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. Since the seizure of the contraband (Codeine Phosphate) to the tune of 17.8 Grams, is admittedly less than the commercial quantity as prescribed, this Court directs the petitioner to be

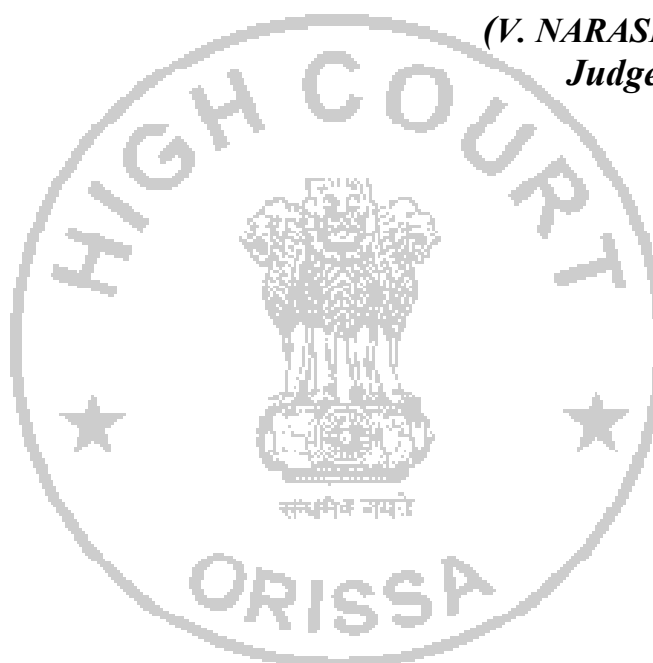
released on bail on such terms to be fixed by the Court in seisin over the matter.

7. While enlarging the petitioner on bail the learned court below shall verify assertion regarding his criminal proclivity. If it comes to the fore that the petitioner has any criminal antecedent this order shall stand recalled.

8. Accordingly, the BLAPL stands disposed of.

9. Urgent certified copy of this order be granted as per rule.

Santoshi



(V. NARASINGH)
Judge