

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8552 of 2022

Siddik Matubber & another

Petitioners

Mr. J. Sahoo, Advocate

-versus-

State of Odisha

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
21.12.2022

Order No.

02.

1. Heard learned counsel for the Petitioners and learned counsel for the State.
2. The Petitioners are accused in 2(a)CC Case No.16 of 2022 (N) pending on the file of learned Addl. Sessions Judge-cum-Special Judge, Chatrapur, arising out of P.R Case No.441 of 2022-23, for commission of offence under Section 20(b)(ii)(C) of the N.D.P.S Act.
3. Being aggrieved by the rejection of their application for bail U/s. 439 Cr.P.C by the learned Addl. Sessions Judge-cum-Special Judge, Chatrapur by order dated 28.07.2022 in the aforementioned case, the present BLAPL has been filed.
4. Learned counsel for the Petitioners does not want to press the prayer for bail of Petitioner No.2-Rikt Ali Mollah.
5. Accordingly, the prayer for bail of Petitioner No.2 stands rejected as not pressed.

6. So far as the prayer for bail of Petitioner No.1-Siddik Matubber is concerned, it is submitted that he is in custody since 25.07.2022 on the accusation of possessing contraband to the tune of 21 Kg. (Ganja).

7. It is further submitted that Form No.C-5 has been submitted on 07.09.2022, which is taken on record. Hence, the Petitioner No.1 may be released on bail.

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

9. Considering the age of the Petitioner no.1-Siddik Matubber, this Court directs the Petitioner No.1 to be released on bail on such terms to be fixed by the learned court in seisin over the matter.

10. Additionally it is directed that the Petitioner No.1 shall not leave the jurisdiction of the learned Court in seisin without its express permission and shall appear before the jurisdictional police station once every fifteen days till conclusion of trial.

11. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

PKS