

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8608 of 2022

Kailash Pujari

....

Petitioner

Mr. S.K. Mohanty, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
21.09.2022

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 P.R. No.43 of 2022-23 corresponding to 2(a) CC No.26 of 2022, pending in the Court of learned Special Judge-cum-Sessions Judge, Jharsuguda, for 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, Jharsuguda, by order dated 29.08.2022 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 1Kg 400gms 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 by the learned counsel for the petitioner that the petitioner has no criminal proclivity, while enlarging 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 then the order shall stand recalled.
8. Accordingly, the BLAPL stands disposed of.
9. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

Ayesha

