

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8803 of 2022

Sukumari Sahani & Another

Petitioners

Mr. S.K. Biswal, Advocate

-versus-

State of Odisha

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
23.09.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. The petitioners are accused in T.R. Case No.73 of 2022, pending before the Court of learned 1st Additional Sessions Judge-cum-Spl. Judge under NDPS Act, Khurda, arising out of Inspector of Excise, District Mobile Khorda P.R. No.40 of 2022-23, for commission of offences under Section 20(b)(ii)(B) of the NDPS Act.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Special Judge under NDPS Act, Khurda, by order dated 19.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.

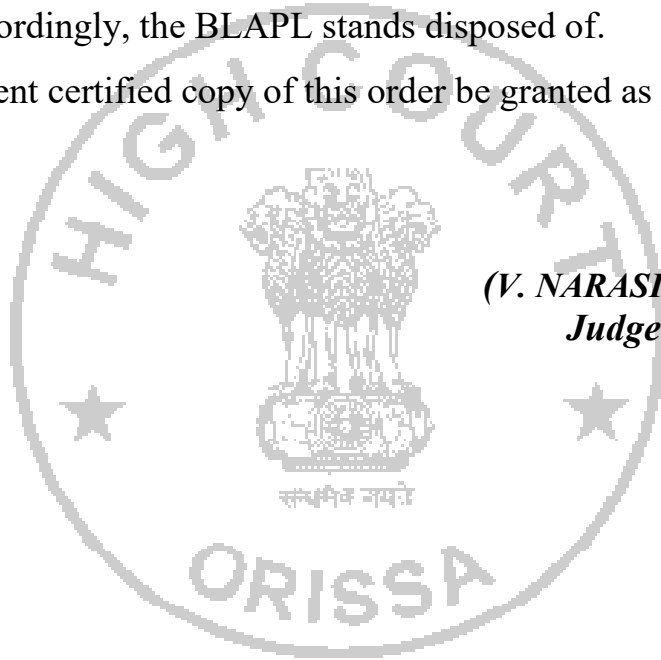
6. Admittedly since the seizure of the contraband (ganja) to the tune of 12 kgs is less than the commercial quantity as prescribed, this Court directs the petitioners to be released on bail on such terms to be fixed by the Court in seisin over the matter.

7. While releasing the petitioners on bail, the learned Court below shall verify the criminal antecedent of the petitioners. If it comes to the fore that the petitioners have 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