

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9087 of 2022

Sibananda Patra

....

Petitioner

Mr. L. Achari, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
27.09.2022

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.593 of 2022-23 dated 29.08.2022 of EI & EB Unit-II (SD) Berhampur corresponding to 2(a)CC.12 of 2022, pending in the file of learned Additional Sessions Judge-cum-Special Judge, Bhanjanagar, Dist-Ganjam, for commission of offences under Section 20(b)(ii)(C) of the NDPS Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge-cum-Special Judge, Bhanjanagar, Dist-Ganjam, by order dated 13.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.

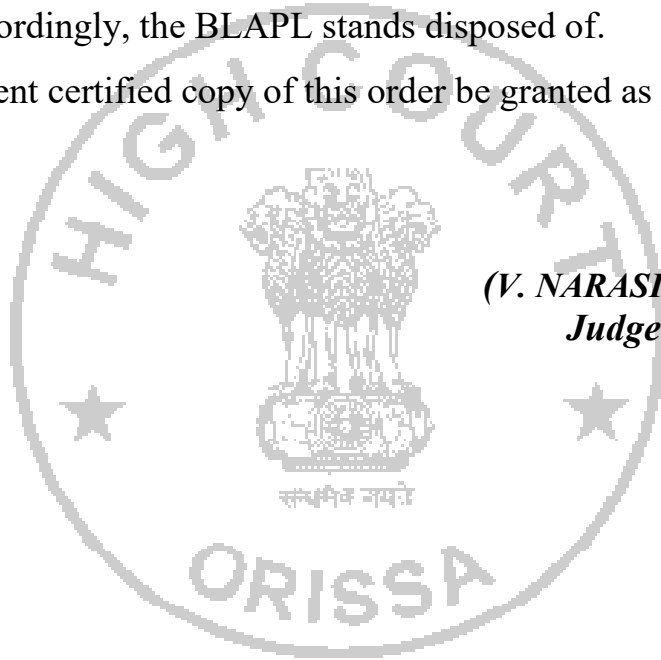
6. Admittedly since the seizure of the contraband (ganja) to the tune of 14 kg 200gms is less than the commercial quantity as prescribed, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

7. While releasing the petitioner on bail, the learned Court below shall verify the criminal antecedent of the petitioner. 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