

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9089 of 2022

Bignesh Majhi

....

Petitioner

Mr. S. Mishra, 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 connection with T.R. Case No.345 of 2022, pending in the Court of learned Sessions Judge, Khurda at Bhubaneswar, arising out of Jatni Excise Station P.R. No.6 of 2022-23, for offences under Section 20(b)(ii)(B) of the NDPS Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Khurda at Bhubaneswar, by order dated 13.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. Admittedly the contraband seized is to the tune of 2kg 100gms which is less than the commercial quantity and it is stated by the learned counsel for the petitioner on instruction that the petitioner has no criminal proclivity.

7. Taking into account the quantity of contraband seized and the period of custody since 06.09.2022, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

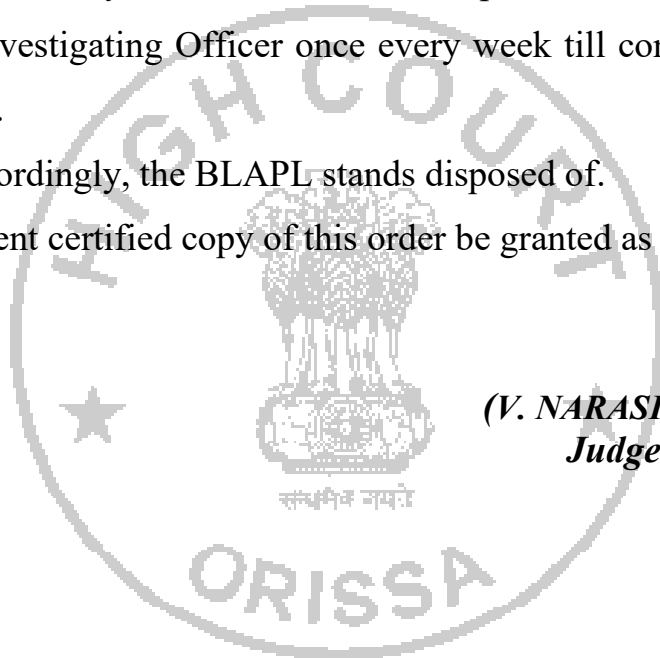
8. While releasing the petitioner on bail, the learned Court below shall verify the criminal antecedent of the petitioner. If it comes to the fore that the petitioner has any criminal antecedent this order shall stand recalled without any further reference to this Court.

9. Additionally it is directed that the petitioner shall appear before the Investigating Officer once every week till conclusion of investigation.

10. Accordingly, the BLAPL stands disposed of.

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

Ayesha



(V. NARASINGH)
Judge