

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9188 of 2022

***Siba @ Siba Narayan Pradhan
& another***

Petitioners

Mr. A.K. Pattanayak, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
28.09.2022**

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 G.R. (Special) Case No.24 of 2022, pending in the file of learned Sessions Judge-cum-Special Judge, Cuttack, arising out of Jagatpur P.S. Case No.358 of 2022, offence under Section 20(b)(ii)(C) of NDPS Act and are in custody since 26.08.2022.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Sessions Judge-cum-Special Judge, Cuttack by order dated 14.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. Since the seizure of the contraband (ganja) to the tune of 6.625 kilograms is admittedly 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 enlarging the Petitioners on bail, learned court below shall verify assertion regarding their criminal proclivity. If it comes to the fore that the Petitioners have any criminal antecedent this 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

Santoshi

