

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9456 of 2022

Sudarsan Behera

....

Petitioner

Mr. L. Pattnaik, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

16.11.2022

Order No.

03.

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 C.T. (NDPS) Case No.17 of 2022, pending in the file of learned, District and Sessions Judge-cum-Special Judge, Jajpur arising out of E.I. & E.B. Unit-1 BBSR P.R. No.87 of 2022-23 for commission of alleged offences under Sections 21(b) of NDPS Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned District and Sessions Judge-cum-Special Judge, Jajpur by order dated 21.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that the petitioner is in custody since 29.08.2022 and as final P.R. has been submitted on 27.10.2022 and petitioner being first offender and as rigors of Section 37 is not attracted, the petitioner may be released on bail.

6. Learned counsel for the State opposes the prayer for bail.
7. Taking into account the quantity of contraband seized and filing of charge sheet, 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. Accordingly, the BLAPL stands disposed of.
9. Urgent certified copy of this order be granted as per the rules.

(V. NARASINGH)
Judge

Santoshi

