

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9680 of 2022

Amrit Priyam Mohapatra

....

Petitioner

Mr. R.C. Swain, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
21.10.2022

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. Appearance memo of learned Senior Counsel Mr. Dhal is taken on record.
4. The petitioner is an accused in connection with Special Case No.249 of 2022, pending in the Court of learned Sessions Judge-cum-Special Judge, Balasore, arising out of Balasore-11 Excise Station P.R. Case No.91 of 2022-23, for alleged commission of offences under Section 21(b) of the N.D.P.S. Act.
5. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Special Judge, Balasore, by order dated 24.09.2022 in the aforementioned case, the present BLAPL has been filed.
6. Perused the order of rejection.

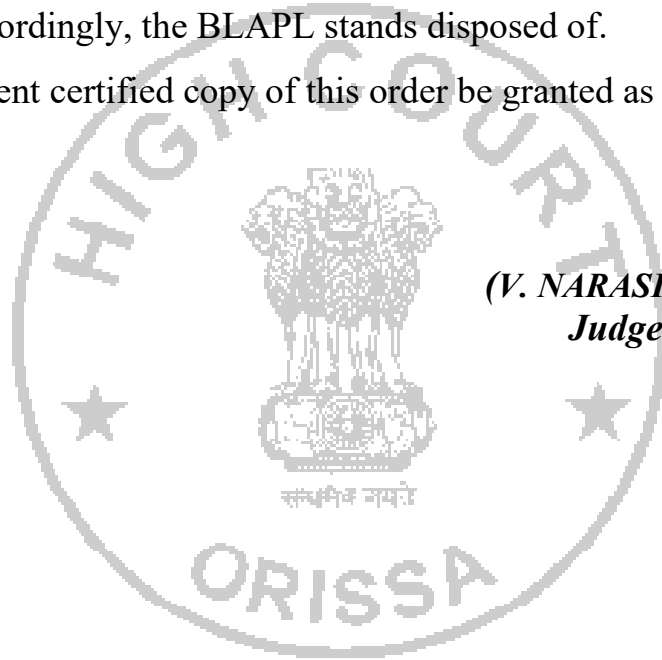
7. Admittedly since the quantity of the codeine phosphate is to the tune of 40gms and 400 milligrams is less than the commercial quantity as prescribed, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

8. While releasing the petitioner on bail the learned court in seisin over the matter shall verify criminal antecedent of the petitioner. If it comes to the fore that the petitioner has any criminal antecedent this order shall stand recalled.

9. Accordingly, the BLAPL stands disposed of.

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

Ayesha



(V. NARASINGH)
Judge