

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9704 of 2022

Sharat Chandra Acharya

....

Petitioner

Mr. J. Sahu, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
26.10.2022

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. The petitioner is an accused in connection with Special G.R. Case No.64 of 2022, pending in the Court of learned Additional Sessions Judge, Padampur, arising out of P.R. No.114 of 2022-23 dated 23.06.2022, 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 Additional Sessions Judge, Padampur, by order dated 27.09.2022 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 178gms 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 of similar nature, 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

