

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9796 of 2022

Kuni Behera

....

Petitioner

Mr. B.K. Behera, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, 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 T.R. No.73 of 2022, pending in the file of learned 1st Addl. Sessions Judge-cum-Special Judge under NDPS Act, Khordha, arising out of Excise District Mobile Unit, Khordha P.R. No.40/2022-23, for commission of the alleged offence under Section 20(b)(ii)(B) of the NDPS Act.
4. Being aggrieved by the rejection of her application for bail U/s.439 Cr.P.C. by the learned Special Judge under NDPS Act, Khurda by order dated 19.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the Petitioner that the co-accused has already been released on bail by order dated 23.09.2022 in BLAPL No.8803 of 2022
6. Perused the order of rejection.

7. Since the seizure of the contraband (ganja) to the tune of 12 K.Gs is admittedly 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 enlarging the Petitioner on bail, learned court below shall verify assertion regarding her criminal proclivity. 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.

(V. NARASINGH)
Judge



PKS