

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9812 of 2022

Bije Sahu

....

Petitioner

Mr. P. Beura, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S. Patra, 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 C.T (Special) Case No.67 of 2022, pending in the file of Sessions Judge, Bargarh, arising out of P.R No.161 of 2022-23, for commission of the alleged offence under Section 21(b) of the NDPS Act and is in custody since 12.09.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Bargarh by order dated 23.09.2022 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 65 grams of Codeine phosphate 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.

7. While enlarging the Petitioner on bail, learned court below shall verify assertion regarding his criminal proclivity. If it comes to the fore that the Petitioner has any criminal antecedent of similar nature, 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

PKS

