

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9860 of 2022

Dasarathi Mahala @ Anama

Petitioner

Mr. R.R. Ray, Advocate

-versus-

State of Orissa

Opposite Party

Mr. M. Mishra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
29.11.2022

Order No.

02.

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 TR Case No.90 of 2022, pending in the Court of the learned 1st Additional Sessions Judge -cum- Special Judge under NDPS Act, Khordha, arising out of Khordha Sadar P.S. Case No.188 of 2022, for alleged commission of offences under Sections 21(b)/29 of the N.D.P.S. Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Special Judge under NDPS Act, Khurda, by order dated 30.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Admittedly since the quantity of the contraband (brown sugar) is to the tune of 15gms, which is less than the commercial

quantity as prescribed and keeping in view the petitioner is in custody since 29.09.2022 and filing of charge-sheet on 24.11.2022, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

6. While releasing the petitioner on bail, the learned Court in seisin over the matter shall verify assertion regarding criminal antecedents of similar nature. If comes to the fore that the petitioner has any such criminal antecedent, this order shall stand recalled.

7. Accordingly, the BLAPL stands disposed of.

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

Ayesha

