

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9868 of 2022

Shankar Sahu

....

Petitioner

Mr. H.S. Mishra, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

27.10.2022

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 2(a) CC Case No.5 of 2022, pending in the file of the learned Additional Sessions Judge-cum-Special Judge, Patnagarh, arising out of P.R. No.90 of 2022-23 of Excise Station, Patnagarh, for alleged commission of offences under Section 20(b)(ii)(B) 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 Additional Sessions Judge-cum-Special Judge, Patnagarh, by order dated 29.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.

6. Admittedly since the quantity of the contraband (Ganja) is to the tune of 7Kgs 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.

7. 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.

8. Accordingly, the BLAPL stands disposed of.

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

Ayesha

