

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10113 of 2022

Sidhanta Choudhury

....

Petitioner

Mr. G.C. Mohanty, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
02.11.2022

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.35 of 2022, pending in the Court of the learned 3rd Additional Sessions Judge, Cuttack, arising out of P.R. No.155 of 2022, for alleged commission of offences under Section 21(b) of NDPS Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge -cum- Special Judge, Cuttack, by order dated 05.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. This is the second journey of the petitioner to this Court.

7. It comes to the fore on perusal of the order of rejection that the contraband seized (Brown Sugar) is to the tune of 42gms, which is admittedly less than the commercial quantity.

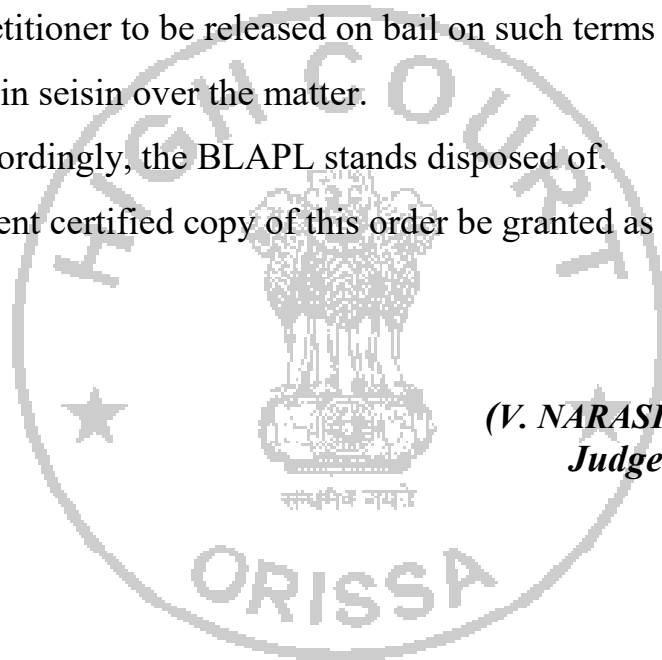
8. It is stated by the learned counsel for the petitioner that the petitioner is in custody since 22.06.2022 and hence he may be released on bail.

9. Considering that the contraband seized is less than the commercial quantity and the period of custody and filing of final P.R. and taking into account the age of the petitioner, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

10. Accordingly, the BLAPL stands disposed of.

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

Ayesha



(V. NARASINGH)
Judge