

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10152 of 2022

Mallick Jafar & Another

....

Petitioners

Mr. T.P. Mohapatra, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. M. Mishra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

06.12.2022

Order No.

02.

1. Heard learned counsel for the petitioners and learned counsel for the State.

2. The petitioners are accused in connection with G.R. Case No.83 of 2022, pending in the Court of the learned Special Judge, Mayurbhanj, Baripada, arising out of Baisinga P.S. Case No.300 of 2022, for alleged commission of offences under Section 21(b) of the N.D.P.S. Act.

3. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Special Judge, Mayurbhanj, Baripada, by order dated 12.10.2022 in the aforementioned case, the present BLAPL has been filed.

4. Admittedly since the quantity of the contraband (brown sugar) is to the tune of 14grams 760milligrams, which is less than the commercial quantity as prescribed and keeping in view that the petitioners are in custody since 04.10.2022 and filing of charge-

sheet on 03.12.2022, this Court directs the petitioners to be released on bail on such terms to be fixed by the Court in seisin over the matter.

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

6. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Ayesha

