

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10194 of 2022

Dhiren Sahu & Another

....

Petitioners

Mr. J.K. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

16.11.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. The petitioners are accused in connection with Special (NDPS) Case No.35 of 2022, pending in the Court of the learned Additional District & Sessions Judge, Kantamal, Boudh, arising out of Manamunda P.S. Case No.198 of 2022, 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 their application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge-cum-Special Judge, Kantamal, Boudh, by order dated 14.10.2022 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 19Kgs which is less than the commercial quantity as

prescribed and keeping in view the petitioners are in custody since 10.10.2022, this Court directs the petitioners to be released on bail on such terms to be fixed by the Court in seisin over the matter.

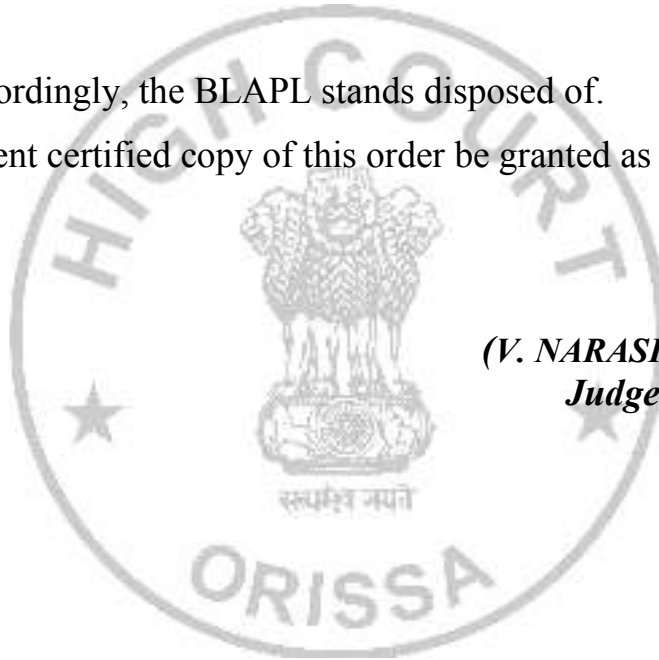
7. While releasing the petitioners on bail, the learned court in seisin over the matter shall verify criminal antecedent of similar nature of the petitioners. If it comes to the fore that the petitioners have any such criminal antecedent, this order shall stand recalled.

8. Additionally it is directed that the petitioners shall appear before the Investigating Officer once every week till submission of final form.

9. Accordingly, the BLAPL stands disposed of.

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

Ayesha



(V. NARASINGH)
Judge