

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10304 of 2022

Chaturbhuja Dehury

....

Petitioner

Mr. D.C. Swain, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
10.11.2022

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 2(a) CC Case No.21 of 2022 (NDPS Act), pending in the file of learned Sessions Judge-cum-Special Judge, Boudh, arising out of P.R. Case No.37 of 2022-23 of Inspector of Excise, Boudh Range, Dist-Boudh, for alleged commission of offence under Sections 20(b)(ii)(B) of NDPS Act and is in custody since 27.09.2022.
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, Boudh by order dated 12.10.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. Since the seizure of the contraband (ganja) to the tune of 15 Kgs is admittedly 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 enlarging the petitioner on bail the learned court below shall verify assertion regarding criminal antecedent of the petitioner. If it comes to the fore that the petitioner has criminal antecedent of any nature this order shall stand recalled.

8. Accordingly, the BLAPL stands disposed of.

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

Santoshi

