

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10327 of 2022

Kasinath Sahoo

....

Petitioner

Mr. D. Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. G.R. Mohapatra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

11.11.2022

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 T.R. Case No.385 of 2022, pending in the file of learned District and Sessions Judge, Khurda at Bhubaneswar, arising out of Dhauli P.S. Case No.185 of 2022, for alleged commission of offence under Sections 20(b)(ii)(B) of the NDPS Act and is in custody since 16.09.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned District and Sessions Judge, Khurda at Bhubaneswar, by order dated 22.09.2022 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 1 Kg 200 gms 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 of similar nature. If it comes to the fore that the petitioner has any such 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 rules.

(V. NARASINGH)
Judge

Santoshi

