

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10448 of 2022

Sashikant Singh

....

Petitioner

Mr. K. Pattnaik, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

15.12.2022

Order No.

02.

1. Heard learned counsel for the petitioners and learned counsel for the State.
2. The petitioner is an accused in 2(a) CC Case No.78 of 2022, pending in the Court of the learned Special Judge-cum-Sessions Judge, Cuttack, arising out of O.I.C. Choudwar Excise Station, Cuttack P.R. No.140 of 2022-23, for commission of alleged offences under Section 20(b)(ii)(B) of NDPS Act.
3. 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 19.10.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted that the petitioner is in custody since 30.09.2022 and the quantity of the contraband seized is to the tune of 13Kgs (Ganja) and it is stated that final P.R. has been submitted on 11.11.2022, hence further continuance of the petitioner in custody is unwarranted.

5. Learned counsel for the State opposes the prayer for bail inter alia on the ground that since the petitioner is not a resident of the State, it would be difficult to secure his attendance during trial.
6. Considering the manner of seizure and filing of charge-sheet, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin, keeping in view that the petitioner does not reside within its jurisdiction.
7. Additionally it is directed that one of the immediate family members shall execute a personal bond.
8. While releasing the petitioner 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 petitioner has such criminal antecedent, this order shall stand recalled.
9. Accordingly, the BLAPL stands disposed of.
10. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge