

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No. 10499 of 2022**

***Basanta Kumar Nayak***

....

***Petitioner***

Mr. M. Das, Advocate

*-versus-*

***State of Odisha***

....

***Opposite Party***

Mr. A. Pradhan, ASC

**CORAM: JUSTICE V. NARASINGH**

**ORDER**

**16.11.2022**

**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 connection with 2(a) CC Case No.27 of 2022, pending in the Court of the learned Special Judge-cum- Additional District & Sessions Judge, Balliguda, arising out of Balliguda Excise P.S.- P.R. Case No.84 of 2022-23, 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 his application for bail U/s.439 Cr.P.C. by the learned Special Judge cum ADJ, Balliguda, by order dated 18.10.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.

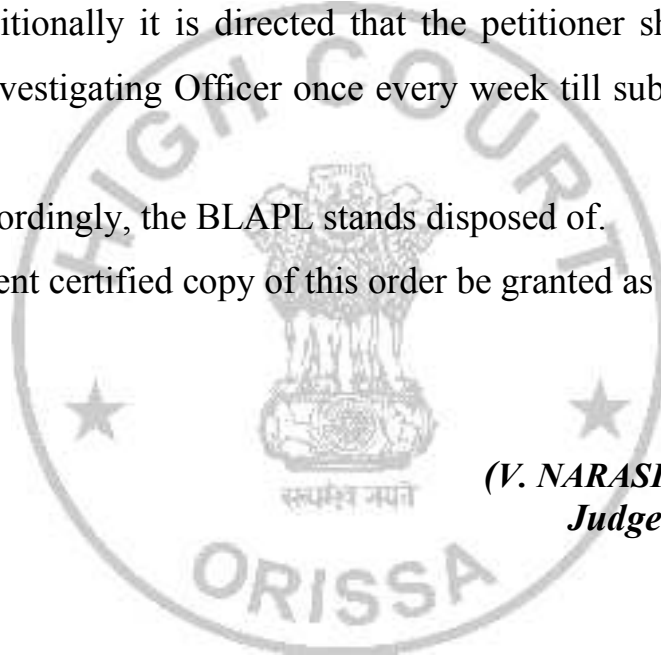
6. Admittedly since the quantity of the contraband (Ganja) is to the tune of 8Kgs which is less than the commercial quantity as prescribed and keeping in view the petitioner is in custody from 15.10.2022, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

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

8. Additionally it is directed that the petitioner 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.



**(V. NARASINGH)**  
**Judge**

*Ayesha*