

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10503 of 2022

Nrusingh Behera

....

Petitioner

Mr. R.L. Pattnaik, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, 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 Special G.R. Case No.156 of 2022, pending in the file of learned Sessions Judge-cum-Special Judge, Malkangiri in the District of Malkangiri arising out of Orkel P.S. Case No.217 of 2022 for commission of alleged offences under Sections 20(b)(ii)(B) of the NDPS Act and is in custody since 14.10.2022.
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, Malkangiri by order dated 18.10.2022 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 4 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 similar nature this order shall stand recalled.

8. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge



Santoshi