

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10560 of 2022

Bihari Pradhan

....

Petitioner

Mr. S. Dwibedi, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
17.11.2022

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 Case (NDPS) No.40 of 2022, pending on the file of Special Judge, Boudh, arising out of Baunsuni P.S Case No.92 of 2022, for commission of the alleged offence under Section 20(b)(ii)(B) of the N.D.P.S Act and is in custody since 18.09.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Special Judge, Boudh by order dated 20.10.2022 in the aforementioned case, the present BLAPL has been filed.
5. Since the seizure of the contraband (Ganja) to the tune of 4 K.G. 800 Grams 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.

6. While releasing the bail, learned Court in seisin shall verify the criminal antecedent of similar nature. If it comes to the fore that the Petitioner has such criminal antecedent, this order shall stand recalled.
7. The BLAPL thus stands disposed of.
8. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge

PKS

