

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10582 of 2022

Rabi Das

....

Petitioner

Mr. R.K. Das, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
21.11.2022

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.64 of 2022, pending on the file of Sessions Judge-cum-Special Court, Sambalpur, arising out of P.R No.79 of 2022-23, for commission of the alleged offence under Section 21(b) of the NDPS Act and is in custody since 22.08.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge-cum-Special Court, Sambalpur by order dated 13.10.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. Taking into account the seizure of 70 numbers of WINCIREX Cough Syrup bottles, which according to the Petitioner, amount to 14.000 gms. of codeine phosphate, 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. Additionally, it is directed that the Petitioner shall appear before the I.O once every week till submission of final P.R.

8. While enlarging the Petitioner on bail, learned court below shall verify assertion regarding his criminal proclivity. If it comes to the fore that the Petitioner has any criminal antecedent of similar nature, this order shall stand recalled.

9. Accordingly, the BLAPL stands disposed of.

10. Urgent certified copy of this order be granted as per rule.

PKS



(V. NARASINGH)
Judge