

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10618 of 2022

***Balia Sundhi @ Balaram Sahoo
& Others***

Petitioners

Mr. A.K. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, 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 petitioners and learned counsel for the State.
3. The petitioners are accused in connection with T.R. No.76 of 2022, pending in the Court of the learned 1st Additional District & Sessions Judge-cum-Special Judge, under NDPS Act, Khurda, arising out of Baghamari P.S. Case No.103 of 2022, for alleged commission of offences under Sections 21(b)/29 of the N.D.P.S. Act.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Special Judge, under NDPS Act, Khurda, by order dated 21.10.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioners that the petitioners are in custody since 21.08.2022 and since

charge-sheet has already been filed, as evident from the order of rejection, further continuance of the petitioners in custody is unwarranted.

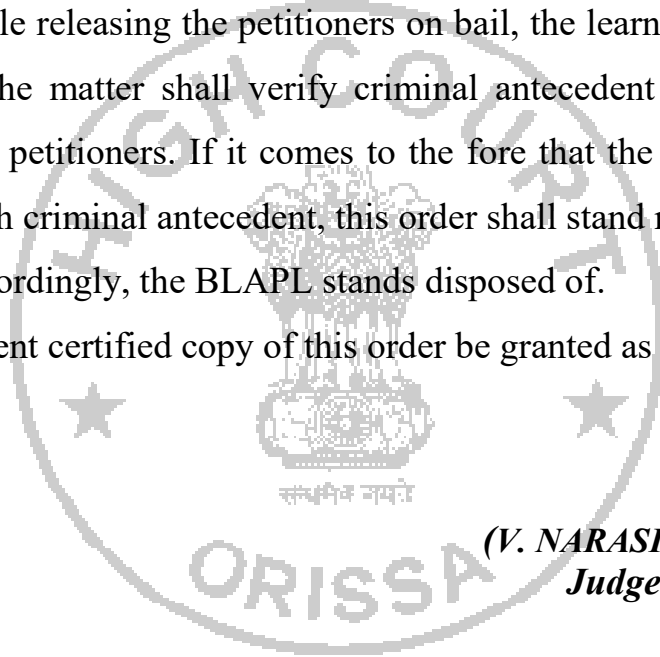
6. Learned counsel for the State opposes the prayer for bail.

7. Considering that the seizure of 11.86gms of brown sugar, which is less than the commercial quantity and filing of charge-sheet as noted, this Court directs the petitioners to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

8. While releasing the petitioners on bail, the learned court in seisin over the matter shall verify criminal antecedent of similar nature of the petitioners. If it comes to the fore that the petitioners have any 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 rule.



(V. NARASINGH)
Judge

Ayesha