

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10727 of 2022

***Dasaratha Bhoina @
Dasharatha Bhaina***

....

Petitioner

Mr. J.K. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
23.11.2022**

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 2(a) CC Case No.14 of 2022 (NDPS), pending in the file of learned Additional District and Sessions Judge, Kantamal, Boudh, arising out of P.R. Case No.44 of 2022-23, for commission of alleged offences under Sections 20(b)(ii)(B) of the NDPS Act and is in custody since 24.10.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the Additional District and Sessions Judge, Kantamal, Boudh by order dated 27.10.2022 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 5 Kgs is admittedly less than the commercial quantity as prescribed,

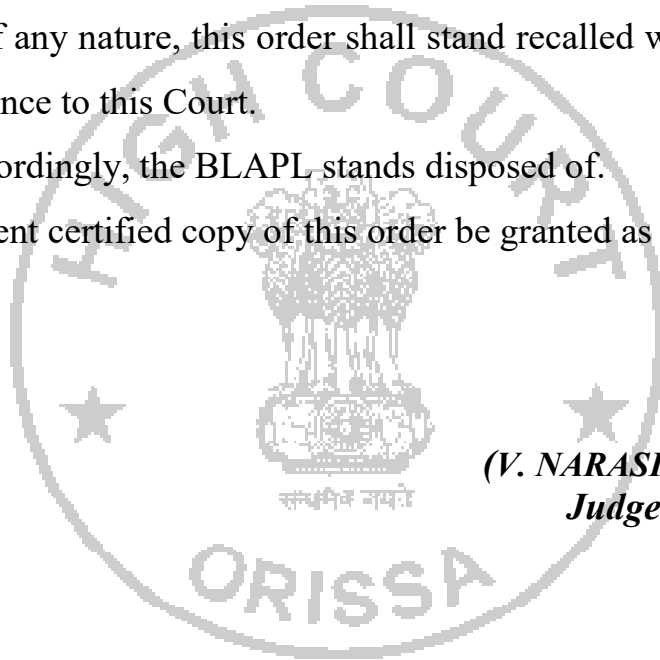
this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

7. Additionally, it is directed that the petitioner shall appear before the jurisdictional police station once every week on such date and time to be fixed by the learned Court in seisin till submission of final form.

8. 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 any nature, this order shall stand recalled without any further reference to this Court.

9. Accordingly, the BLAPL stands disposed of.

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



(V. NARASINGH)
Judge