

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10755 of 2022

Gyanta @ Gyanata Digal

....

Petitioner

Mr. D.R. Swain, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

24.11.2022

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 G.Udaygiri Excise P.R. No.71 of 2022, pending in the file of learned Special Judge-cum-ADJ Baliguda, for commission of alleged offences under Sections 20(b)(ii)(B) of the NDPS Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Special Judge-cum-ADJ, Balliguda, Dist-Kandhamal by order dated 22.10.2022 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 5kg is admittedly less than the commercial quantity as prescribed and he is in custody since 20.10.2022, this Court directs the

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

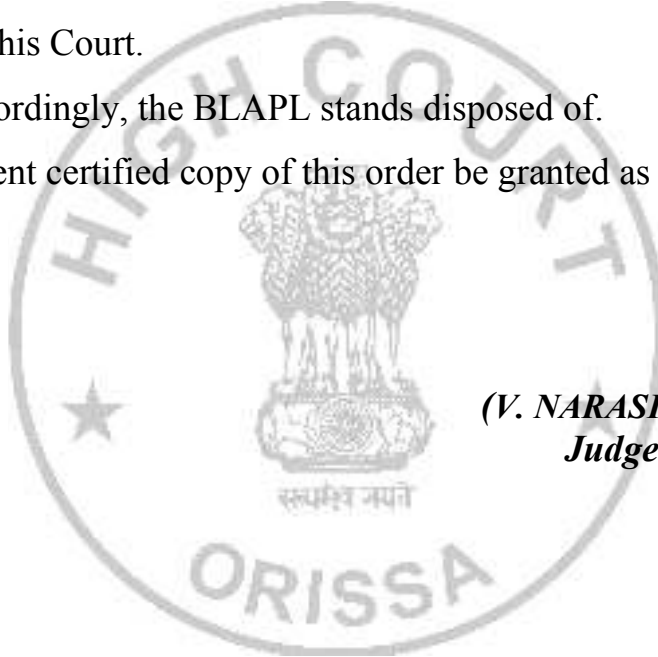
7. Additionally, it is directed that the petitioner shall appear before the I.O. once every week on such date and time to be fixed by the learned Court in seisin till submission of final form.

8. While enlarging the petitioner on bail, the learned court below shall verify assertion regarding criminal proclivity. If it comes to the fore that the petitioner has any criminal antecedents of similar 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



Santoshi