

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10771 of 2022

Naresh Sendaria @ Sindhria

Petitioner

Mr. S.K. Jena, Advocate

-versus-

State of Odisha

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
22.12.2022

Order No.

02.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner is an accused in C.T. Spl. Case No.74 of 2022, pending on the file of the learned District and Sessions Judge-cum-Judge, Special Court Bargarh arising out of Bhatli Excise Station P.R. Case No.155 of 2022-23, for commission of alleged offences under Sections 21(b) of the NDPS Act.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Session Judge, Bargarh, by order dated 13.10.2022 in the aforementioned case, the present BLAPL has been filed.
4. Perused the order of rejection.
5. It is submitted by the learned counsel for the petitioner that the codeine phosphate involved in the case at hand is 32 gms which is less than commercial quantity of one 1 kgs.

6. It is further submitted that the petitioner is in custody since 26.09.2022 and investigation has progressed substantially. Hence he may be released on bail.

7. Learned counsel for the State opposes the prayer for bail during the currency of investigation.

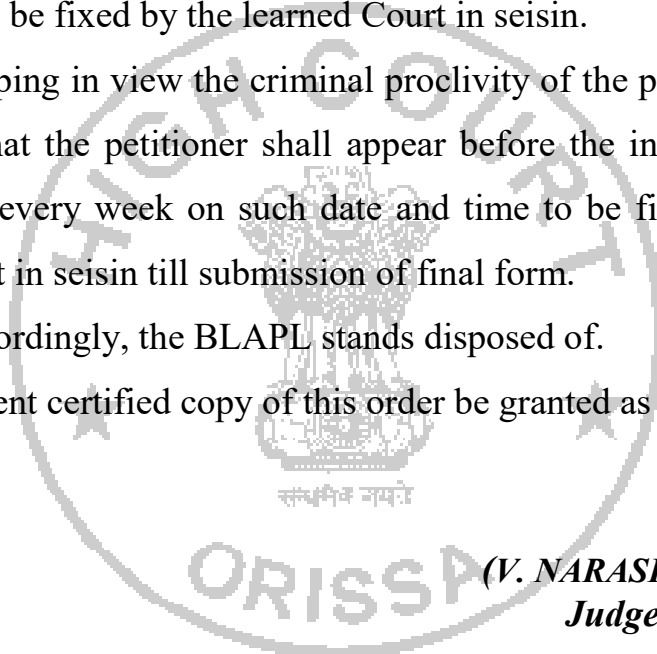
8. Learned counsel for the petitioner on instruction submits that the petitioner has criminal antecedents.

9. Taking into account the period of custody and nature of allegations, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin.

10. Keeping in view the criminal proclivity of the petitioner, it is directed that the petitioner shall appear before the investigating officer once every week on such date and time to be fixed by the learned Court in seisin till submission of final form.

11. Accordingly, the BLAPL stands disposed of.

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



(V. NARASINGH)
Judge

Santoshi