

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10875 of 2022

Surendra Kumar Naik

....

Petitioner

Mr. B.K. Ragada, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
29.11.2022

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 connection with 2(a) CC Case No.31 of 2022, pending in the Court of the learned Special Judge, Jharsuguda, arising out of District Mobile Jharsuguda P.R. No.177 of 2022-23, for alleged commission of offences under Section 20(b)(ii)(B) of the N.D.P.S. Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Special Judge, Jharsuguda, by order dated 28.10.2022 in the aforementioned case, the present BLAPL has been filed.
5. Admittedly since the quantity of the contraband (Ganja) is to the tune of 1Kg 360gms, which is less than the commercial quantity as prescribed and keeping in view the petitioner is in

custody since 27.10.2022, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

6. While releasing the petitioner on bail, the learned Court in seisin over the matter shall verify assertion regarding criminal antecedents of similar nature. If comes to the fore that the petitioner has any such criminal antecedent, this order shall stand recalled.

7. Accordingly, the BLAPL stands disposed of.

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

Ayesha

