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IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10892 of 2022

Biswanath Sahoo

....

Petitioner

Mr. S. Mohanty, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M. Mishra, 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 T.R. Case No.397 of 2022, pending on the file of learned Sessions Judge, Khordha at Bhubaneswar, arising out of Chandrasekharpur P.S. Case No.342 of 2022 for commission of the offence under Section 20(B)(ii)(b) of the N.D.P.S Act and is in custody since 19.09.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Khordha at Bhubaneswar by order dated 27.10.2022 in the aforementioned case, the present BLAPL has been filed.
5. Since the seizure of the contraband (Ganja) to the tune of 3 K.G. 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.

6. While releasing on bail, learned Court in seisin shall verify the criminal antecedent of similar nature. If the Petitioner has such criminal antecedent, this order shall stand recalled.
7. The BLAPL thus stands disposed of.
8. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge

PKS

