

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10950 of 2022

Jogesh Sira

....

Petitioner

Mr. M.K. Chand, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

06.12.2022

Order No.

01.

1. Heard learned counsel for the petitioner and learned counsel for the State.

2. The petitioner is an accused in connection with 2(a) C.C No.13 of 2022, pending in the file of the learned Sessions Judge-cum-Special Judge, Kalahandi, Bhawanipatna, arising out of Kesinga Excise Station P.R. Case No.74 of 2022-23, for alleged commission of offences under Section 20(b)(ii)(B) of the N.D.P.S. Act.

3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Special Judge, Bhawanipatna, by order dated 30.09.2022 in the aforementioned case, the present BLAPL has been filed.

4. Admittedly since the quantity of the contraband (Ganja) is to the tune of 16Kgs, which is less than the commercial quantity as prescribed and keeping in view that the petitioner is in custody

since 22.09.2022, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

5. Additionally it is directed that the petitioner shall appear before the Investigating Officer once every week till submission of final form.

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 it comes to the fore that the petitioner has 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.

(V. NARASINGH)
Judge

Ayesha

