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IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11364 of 2022

Susama Naik

....

Petitioner

Mr. T.K. Mohanty, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
20.12.2022

Order No.

01. 1. Heard learned counsel for the Petitioner and learned counsel for the State.
2. The Petitioner is an accused in T.R No.315 of 2022, pending on the file of learned Sessions Judge, Bhubaneswar, arising out of P.R Case No.215 of 2022-23 for commission of the offence under Section 21(b) of the N.D.P.S Act.
3. Being aggrieved by the rejection of her application for bail U/s.439 Cr.P.C. by the learned 3rd Addl. Special Judge, Bhubaneswar by order dated 03.11.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted by the learned counsel that the Petitioner is in custody since 12.08.2022 for allegedly possessing contraband to the tune of 226 grams of Heroin.
5. It is submitted that admittedly the same is less than the commercial quantity as prescribed and since charge sheet has been submitted on 10.10.2022, her further continuance in custody is unwarranted.

6. Learned counsel for the State opposes the prayer for bail.
7. Considering the nature of accusation and filing of charge sheet, 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.
8. While releasing the Petitioner on bail, learned Court below shall verify assertion regarding criminal antecedent of similar nature. If the Petitioner has such antecedent, this order shall stand recalled without further reference to the Bench.
9. Accordingly, the BLAPL stands disposed of.
10. Urgent certified copy of this order be granted as per the rules.

(V. NARASINGH)
Judge

PKS

