

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11409 of 2022

1. Chandra Mahakul

2. Md. Rasid

.... Petitioners

Mr. J.K. Panda, Advocate

-versus-

State of Odisha

.... Opp. Party

Mrs. Susamarani Sahoo

Addl. Standing Counsel

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
19.12.2022**

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioners and learned counsel for the State.

This is an application under section 439 of Cr.P.C. in connection with Baunsuni P.S. Case No.114 of 2022 corresponding to Special (NDPS) Case No.48 of 2022 pending in the Court of learned Sessions Judge -cum- Special Judge, Boudh for alleged commission of offence under section 20(b)(ii)(B) of the N.D.P.S. Act.

The petitioners moved an application for bail before the Court of learned Special Judge, Boudh, which was

rejected on 11.11.2022.

Considering the submission made by the learned counsel for the petitioners that the petitioners are in judicial custody since 11.10.2022 and the quantity of ganja stated to have been seized from the possession of the petitioners is lesser than the commercial quantity and therefore, the bar under section 37 of the N.D.P.S. Act is not applicable and investigation has made substantial progress and on hearing the learned counsel for the State, I am inclined to release the petitioners on bail.

Let the petitioners be released on bail in the aforesaid case on furnishing a bail bond of Rs.50,000/- (rupees fifty thousand) each with two local solvent sureties each for the like amount to the satisfaction of the learned Court in seisin over the matter with further conditions as the learned court may deem just and proper.

The BLAPL is accordingly disposed of.

Urgent certified copy of this order be granted on proper application.

(S.K. Sahoo)
Judge

