

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11555 of 2022

***Kau @ Jaga @ Jagannath
Behera***

....

Petitioner

Mr. S. Mitra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
22.12.2022**

Order No.

- 02.
1. Heard learned counsel for the Petitioner and learned counsel for the State.
 2. The Petitioner is an accused in G.R (Special) Case No.29 of 2022 pending on the file of learned Sessions Judge-cum-Special Judge, Cuttack, arising out of Mangalabag P.S. Case No.252 of 2022, for commission of offence 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 Sessions Judge-cum-Special Judge, Cuttack by order dated 18.11.2022 in the aforementioned case, the present BLAPL has been filed.
 4. This Court by order dated 02.11.2022 in BLAPL No.10103 of 2022 directed the Petitioner to be released on bail keeping in view that the quantity of the contraband (ganja) is less than the

commercial quantity subject to verification of the criminal antecedents.

5. Learned Court in seisin rejected the bail application in view of the criminal antecedents of the Petitioner.

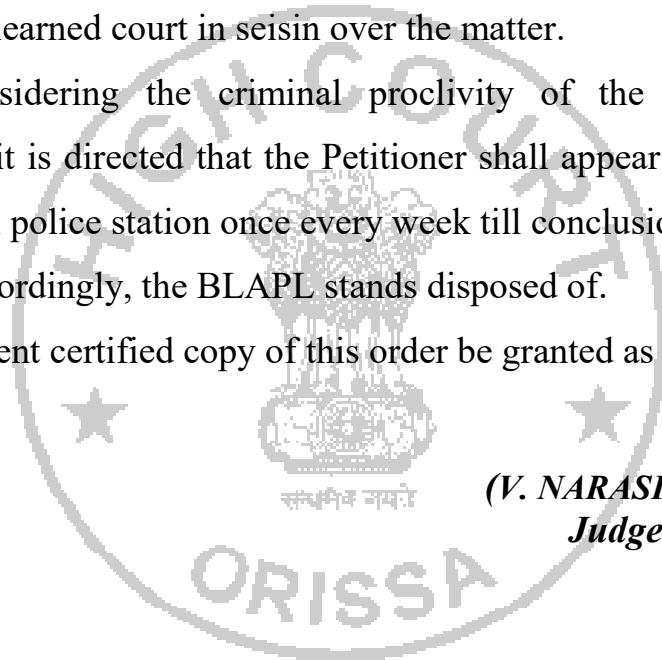
6. Considering that the contraband seized is less than commercial quantity notwithstanding the two criminal antecedents of the Petitioner under the Bihar & Orissa Excise Act and four under the Indian Penal Code, this Court, taking into account his age, directs the Petitioner to be released on bail on such terms to be fixed by the learned court in seisin over the matter.

7. Considering the criminal proclivity of the Petitioner, additionally it is directed that the Petitioner shall appear before the jurisdictional police station once every week till conclusion of trial.

8. Accordingly, the BLAPL stands disposed of.

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

PKS



(V. NARASINGH)
Judge