

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11693 of 2022

Nabin Kumar Chhatri

....

Petitioner

Mr. S.K. Dwibedi, *Advocate*

-versus-

State of Odisha

....

Opp. Party

*Mr. Prasanna Ku. Mohanty,
Addl. Standing Counsel*

CORAM:

JUSTICE S.K. SAHOO

Order No.

ORDER

20.12.2022

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

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

This is an application for bail under section 439 of Cr.P.C. in connection with Kantamal P.S. Case No.136 of 2022 corresponding to Special Case (NDPS) No.34 of 2022 pending in the Court of learned Addl. Sessions Judge -cum- Special Judge, Kantamal for alleged commission of offences under sections 20(b)(ii)(B)/29 of the N.D.P.S. Act.

Considering the submission made by the learned counsel for the petitioner that the petitioner is in judicial custody since 03.09.2022, the quantity of ganja stated to have been seized from the possession

of the petitioner being 10 Kgs. which is lesser than the commercial quantity and therefore, the bar under section 37 of the N.D.P.S. Act is not attracted and on hearing the learned counsel for the State, I am inclined to release the petitioner on bail.

Let the petitioner be released on bail in the aforesaid case on furnishing bail bond of Rs.50,000.00 (rupees fifty thousand) with two local solvent sureties each for the like amount to the satisfaction of the Court in seisin over the matter with further terms and conditions as the learned Court may deem just and proper including the condition that he shall appear before the learned trial Court on each date to which the case would be posted for trial and shall not indulge in any criminal activities. Violation of any of the conditions shall entail cancellation of bail.

The BLAPL is accordingly disposed of.

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

(S.K. Sahoo)
Judge