

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11807 of 2022

Ramesh Chandra Sethy @ Petitioner
Sethi

Mr. B.B. Routray, Advocate

-versus-

State of Odisha Opp. Party

*Mr. P.K. Mohanty,
Addl. Standing Counsel*

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

**ORDER
20.12.2022**

Order No.

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 under section 439 of Cr.P.C. in connection with Chandrasekharpur P.S. Case No.417 of 2022 corresponding to T.R. Case No.482 of 2022 pending in the Court of learned Sessions Judge, Khurda at Bhubaneswar for alleged commission of offences under sections 20(b)(ii)(B)/ 29/27 of the N.D.P.S. Act.

The petitioner moved an application for bail before the Court of learned Sessions Judge, Khurda at

Bhubaneswar, which was rejected on 14.11.2022.

Considering the submission made by the learned counsel for the petitioner that the petitioner is in judicial custody since 01.11.2022 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 similarly situated co-accused has already been released on bail by this Court in BLAPL No.11520 of 2022 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 a bail bond of Rs.50,000/- (rupees fifty thousand) 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