

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11490 of 2021

Ashok Choudhury

.... ***Petitioner***
M/s. C.Samantaray, Advocate

-versus-

State of Orissa

.... ***Opp. Party***
M/s.P.K.Patnaik, A.G.A.

CORAM:

JUSTICE G. SATAPATHY

ORDER

12.10.2022

Order No.

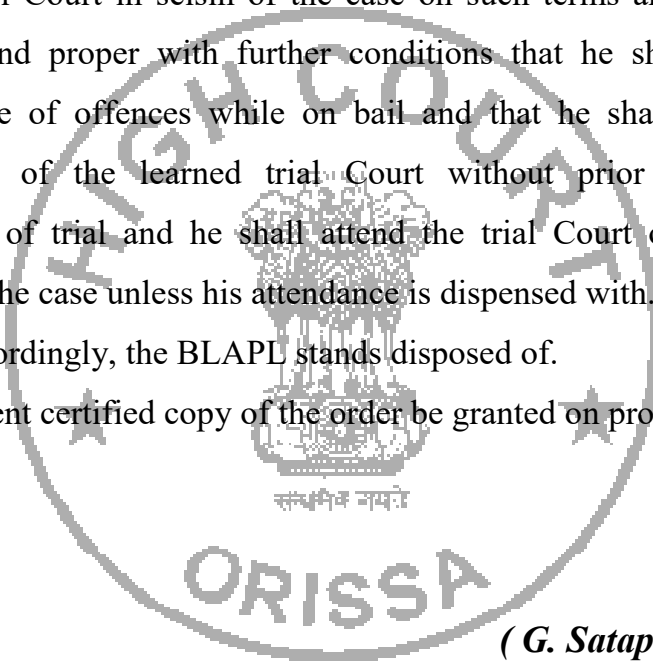
- 04.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. This is an application U/S. 439 of Cr.P.C. by the Petitioner for grant of bail in connection with Balasore-1 Excise Station, Balasore P.R. No. 61 of 2021-22 corresponding to Special Case No.302 of 2021 pending in the Court of learned Sessions Judge-cum-Special Judge, Balasore for commission of offence punishable U/Ss. 20(b)(ii)(C)/8(c) of N.D.P.S. Act on the allegation of possessing 22Kg. of contraband Ganja.
 3. In the course of hearing of the bail application, learned counsel for the petitioner submits that the petitioner has been detained in custody since 06.11.2021 but trial is yet to commence and the petitioner is the sole bread earner of his family and no criminal antecedent of similar nature is reported against the petitioner. On the above submissions, learned counsel for the petitioner prays to enlarge the petitioner on bail.
 4. On contrary, learned counsel for the State vehemently opposes the bail application of the petitioner but it is fairly submitted by him that no criminal antecedent of similar nature is pending against the petitioner.
 5. Considering the rival submissions of the parties and taking into consideration the pre-trial detention of the petitioner since 06.11.2021 as well as the nature and gravity of the accusation together with the quantity of contraband Ganja as allegedly recovered in this case and regard

being had to the fact about no criminal antecedent of similar nature having reported against the petitioner, this Court considers the bail application of the petitioner leniently.

6. Hence, the prayer for bail of the petitioner is allowed and the Petitioner be released on bail on furnishing bail bonds of Rs.25,000/- with two solvent sureties each for the like amount to the satisfaction of the learned trial Court in seisin of the case on such terms and conditions as deem fit and proper with further conditions that he shall not commit similar type of offences while on bail and that he shall not leave the jurisdiction of the learned trial Court without prior permission till conclusion of trial and he shall attend the trial Court on each date of posting of the case unless his attendance is dispensed with.

7. Accordingly, the BLAPL stands disposed of.

8. Urgent certified copy of the order be granted on proper application.



(G. Satapathy)
Judge