

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11651 of 2021

***Ashok Kumar Nayak@Gada and
another***

.... Petitioners

Mr. A.R. Panda, Advocate

-versus-

State of Orissa

.... Opposite Party

Mr. G. Rout, A.S.C.

**CORAM:
JUSTICE B. P. ROUTRAY**

**ORDER
31.01.2022**

Order No.

01.

1. This matter is taken up through video conferencing.
2. This is an application under Sec.439 Cr.P.C. for bail and the offences alleged are under Secs.20(b)(ii)(B) of the NDPS Act for alleged possession of contraband ganja weighing 14 kg 520 grams.
3. Heard Mr. A.R. Panda, learned counsel for the Petitioners as well as Mr. G. Rout, learned A.S.C. for the State-Opposite Party.
4. It is submitted that the Petitioners are inside custody since 17.12.2021 and they have no criminal antecedents. It is also submitted that the investigation has progressed to substantial extent in the meantime.

5. After hearing learned A.S.C. for the State-Opposite Party and considering the period of detention of the Petitioners inside custody as well as the quantity of contraband, which is below the commercial quantity, it is directed to release the Petitioners on bail in connection with Khantapada P.S. Case No.332/2021 corresponding to Special Case No.340/2021 on such terms and conditions to be fixed by the learned Sessions Judge-cum-Special Judge, Balasore as he deems just and proper including the condition that the Petitioners shall not be involved in any other offence while on bail.

6. The BLAPL is accordingly disposed of.

7. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020 as modified by Court's Notice No.4798, dated 15th April, 2021 and Court's Office Order circulated vide Memo No.514, dated 7th January, 2022.

(B.P. Routray)
Judge