

**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**BLAPL No. 236 OF 2021**

***Gobinda Kumbhar***

..... ***Petitioner***  
***Mr. P.K.Sahoo, Adv.***

***-versus-***

***State of Odisha***

..... ***Opposite Party***  
***Mr. K.K.Gaya, ASC***

**CORAM:**  
**JUSTICE V. NARASINGH**

**ORDER**  
**20.04.2022**

**Order No.**

13.

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the parties.
3. The Petitioner is an accused in connection with T.R. Case No.82 of 2020 arising out of Mathili P.S. Case No. 111 of 2020 on the file of learned Sessions Judge-cum-Special Judge, Malkangiri, registered for the alleged commission of offence under Sections 20(b)(ii)(c)/27(A)/29 of the NDPS Act.
4. Being aggrieved by the rejection of his application for bail U/s 439 Cr.P.C. by the learned Sessions Judge-cum-Special Judge, Malkangiri by order dated 26.08.2020, the present BLAPL has been filed.
5. Learned counsel for the petitioner states that the Petitioner is an innocent driver and being a victim of the circumstances has been wrongly roped in and as such it is stated

the bar under Section 37 of the NDPS Act, is not attracted in the case at hand.

6. Learned counsel for the State relying on the provisions under Section 37 of the NDPS Act, opposes the prayer for bail.

7. Considering the quantum of contraband seized and the nature of the seizure and in view of the bar under Section 37 of the NDPS Act, this Court is not inclined to allow the prayer for bail.

8. Accordingly, the prayer for bail stands rejected.

9. Learned trial court in seisin over the matter may expedite the trial.

*Dhal*

