

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.555 of 2022

M.D. Jahangir

....

Petitioner

Mr. T. Nanda, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. D.K. Pani

Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

02.02.2022

Order No.

01.

This matter is taken up by video conferencing mode.

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

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with T.R. Case No.110 of 2021 arising out of Ambadola P.S. Case No.142 of 2021 pending in the Court of learned Additional Sessions Judge -cum- Special Judge, Gunupur for alleged commission of offences under sections 20(b)(ii)(C) and 29 of the N.D.P.S. Act.

Perused the F.I.R.

Learned counsel for the petitioner submitted that from the possession of three co-accused persons, ganja was seized and the petitioner has been implicated in the

case on the basis of the confessional statement of co-accused before police and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State opposed the prayer for anticipatory bail.

Considering the submissions made by the learned counsel for the respective parties and in view of the commercial quantity of ganja seized from the possession of the petitioner and the bar under section 37 of the N.D.P.S. Act, while not inclining to grant anticipatory bail to the petitioner, it is observed that in the event the petitioner surrenders in the Court below within a period of four weeks from today and moves for bail before the learned Court below, the same shall be disposed of as expeditiously as possible by the Court below in accordance with law. The case records shall be made available to the Court concerned.

The ABLAPL is accordingly disposed of.

Parties may utilize the soft copy of this order available in the High Court's website or print out thereof at par with certified copy in the manner prescribed vide Office Order dated 7th January 2022.

p

(S.K. Sahoo)
Judge