

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.641 of 2022**

***Dinabandhu Sahu & others* .... *Petitioners***

***-versus-***

***State of Odisha* .... *Opposite Party***

**CORAM:  
THE JUSTICE S.PUJAHARI**

**ORDER  
03.02.2022**

**Order  
No.**

01. 1. This matter is taken up through virtual mode.
2. The Petitioners apprehending their arrest in Kantamal P.S. Case No.161 of 2021 registered for alleged commission of offence punishable under Sections 20(a)(i) of the N.D.P.S Act and Section 27(1) of the Orissa Forest Act have filed this petition for their release on pre-arrest bail.
3. Heard learned counsel for the Petitioners and learned counsel for the State.
4. The Petitioners appear to have been indicted for the alleged cultivation of cannabis plants. When the Police raided the spot, they fled away from the spot but on the basis of the statement of Grama Rakhi, they have been indicated in the aforesaid case.
5. A judicial notice can be taken note of the fact that large scale of cultivation of cannabis plants is going on in the Government land in the State of Odisha, particularly in hilly

areas by adjacent villagers. The same is being financed by the outsiders and flowering and fruiting tops of the same commonly known as 'Ganja' being transported to different parts of the country in illegal manner in large scale. The same is violation of provision of N.D.P.S. Act. Such offences are rampant in the State of Odisha. The offence alleged is heinous and serious in nature and offence against the society.

6. Therefore, notwithstanding the rigor of Section 37(1) of the N.D.P.S. Act is not applicable for grant bail to the persons accused in the aforesaid offence, I am of the view that the Petitioners in this case do not deserve to be released on pre-arrest bail inasmuch as incriminating materials are there showing their indictment in the aforesaid offence and their custodial interrogation is likely to unearth the conspiracy angle regarding the persons involved in large scale cultivation of cannabis plants.

7. Accordingly, the prayer for pre-arrest bail of the Petitioners stands rejected and the ABLAPL being devoid of merit stands disposed of being dismissed.

8. As restrictions due to resurgence of COVID-10 situation are continuing, learned counsel for the parties may utilize a printout copy 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 25<sup>th</sup> March, 2020 as modified by Court's Notice No.4798, dated 15<sup>th</sup> April, 2021 and Court's Office

order circulated vide Memo Nos.514 & 515 dated 7<sup>th</sup> January, 2022.

**(S. Pujahari)**  
**Judge**

PKS

