

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.753 of 2022

Kalandi Sahoo @ Kalia* *Petitioner

Mr.P.C. Moharana, Advocate

-versus-

State of Odisha* *Opp. Party

*Ms. Samapika Mishra,
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
03.02.2022**

Order No.

01. This matter is taken up through video conferencing mode.

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

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Jenapur P.S. Case No. 07 of 2022 corresponding to C.T. Case No.04 of 2022 pending in the Court of learned Sessions Judge -cum- Special Judge, Jajpur for the commission of the alleged offence punishable under section 20(b)(ii)(B) of the N.D.P.S. Act.

Learned counsel for the petitioner submits that the contraband ganja stated to have been seized is

lesser than commercial quantity and therefore, the bar under section 37 of the N.D.P.S. Act is not applicable and therefore, the anticipatory bail application 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 the nature of accusation, while not inclining to grant anticipatory bail to the petitioner, it is observed that in the event the petitioner surrenders and moves for bail before the Court below within a period of four weeks from today the learned Court below shall dispose of the same expeditiously in accordance with law. The case records shall be made available to the Court concerned for disposal of the bail application.

The ABLAPL stands 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.

(S.K. Sahoo)
Judge