

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 590 of 2022

Vipin Kumar @ Veer ***Petitioner***
Pratap Singh

Mr.S.K. Das, Advocate

-versus-

State of Odisha ***Opp. Party***

Mr.A. Das,
Addl. Government Advocate

CORAM:

JUSTICE S.K. SAHOO

Order No.

ORDER
27.07.2022

05. This matter is taken up through Hybrid arrangement (video conferencing/physical Mode).

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

This is an application for bail under section 439 of Cr.P.C. in connection with Uluda P.S. Case No. 14 of 2020 corresponding to Special G.R. Case No.05 of 2020 pending in the Court of learned Addl. Sessions Judge -cum- Special Judge, Sonapur for alleged commission of offence under section 20(b)(ii)(C) of the N.D.P.S. Act.

It appears that the petitioner earlier approached this Court in BLAPL No.962 of 2021, which was

disposed of as per order dated 02.03.2021 and while rejecting the application for bail, the learned trial Court was directed to expedite the trial and conclude the same within a period of six months from the date of receipt of a copy of the order and liberty was granted to the petitioner to renew the prayer for bail, if the trial is not concluded within the aforesaid period.

Learned counsel for the petitioner submitted that till date no witness has been examined.

As per order dated 30.06.2022, the learned counsel for the State has obtained written instruction from the Inspector in-charge of Ulunda police station from which it appears that the name and address of the petitioner are genuine. The written instruction is taken on record.

Learned counsel for the State opposed the prayer for bail on the ground that commercial quantity of ganja was seized from the possession of the petitioner and in view of the bar under section 37 of the N.D.P.S. Act, he is not entitled to be released on bail.

Considering the submissions made by the learned counsel for the respective parties, in view of the available materials on record and absence of any change in the circumstances after rejection of the

earlier bail application and the bar under section 37 of the N.D.P.S. Act, I am not inclined to release the petitioner on bail.

The BLAPL is accordingly dismissed.

(S.K. Sahoo)
Judge

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