

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 1342 of 2022

Biswanath Sabar @ Shabar ***Petitioner***

Mr.S.S. Ray (2), Advocate

-versus-

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

Mr.J.P. Patra,
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

16.02.2022

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard 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 Puttasingh P.S. Case No.04 of 2021 corresponding to T.R. Case No.06 of 2021 pending in the court of learned Addl. Sessions Judge –cum- Special Judge, Gunupur for alleged commission of offences under section 20(a) of the N.D.P.S. Act.

Learned counsel for the petitioner submitted that the petitioner's implication in the case is based on the

identification made by two witnesses and the cultivation of cannabis plant was made over a Government land and it is submitted that two stock witnesses have been utilized and a number of first information reports were lodged on the very day and the petitioner has been victimized unnecessarily in a false case and therefore, the anticipatory bail application may be favourably considered.

Learned counsel for the State opposed the prayer for bail.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner, while not inclining to grant anticipatory bail to the petitioner, I direct that in the event the petitioner surrenders before the learned Court below within a period of four weeks from today and moves for bail, the same shall be considered in accordance with law expeditiously and claim of parity with the co-accused shall be taken into account at the time of adjudication of the bail application. The case records shall be made available to the Court concerned. The case records shall be made available to the Court concerned.

The ABLAPL stands disposed of.

Urgent certified copy of this order be granted on proper application.

(S.K. Sahoo)
Judge

