

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 1352 of 2022

Bibachha Digal

....

Petitioner

Mr.P.C. Sejpada, 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 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with T.R. Case No.4 of 2022 corresponding to Tangi Excise Station (P.R) No.90 of 2021-22 pending in the Court of learned Addl. Sessions Judge, Khurdha for alleged commission of offences under sections 20(b)(ii)(B) of the N.D.P.S. Act.

Perused the F.I.R.

Learned counsel for the State submitted that it

is a case of seizure of 8 Kgs. 60 gms. of contraband ganja from the possession of one Janek Digal and the petitioner's implication is based on the confessional statement of the said co-accused and therefore, the anticipatory bail application of the petitioner 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, 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.

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

(S.K. Sahoo)
Judge

