

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL NO.4210 OF 2020

Phelish Nayak

....

Petitioner

Mr. B. Mohapatra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. G.N. Rout, ASC.

CORAM:

MR. JUSTICE D.DASH

ORDER

09.03.2022

Order No.

- 03.
1. The matter is taken up by video conferencing mode.
 2. The Petitioner having been implicated in connection with Mohana P.S. Case No.103 of 2019 corresponding to G.R. Case No.410 of 2019 on the file of learned Addl. District & Sessions Judge, Gajapati-Paralakhemundi for alleged commission of offence under Section-20(b)(ii)(C)/25/29 of the NDPS Act, has filed this application under Section-438 of the Cr.P.C. for his release on bail in the event of his arrest in the aforesaid case.
 3. Heard learned counsel for the Petitioner and learned counsel for the State.
 4. Considering the submissions made and viewing the materials on record as also other surrounding circumstances, while being not inclined consider the prayer for grant of anticipatory bail to the Petitioner, this application is disposed of with the observation that in the event the Petitioner surrenders before the Court in seisin of the aforesaid case and moves for his release on bail, the same

shall be considered on its own merit and disposed of early in accordance with law.

5. The ABLAPL is accordingly dismissed.
Issue urgent certified copy as per rules.

**(D. Dash),
Judge.**

Narayan

