

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 2943 OF 2021

Kailash Gouda

***..... Petitioner
Mr. S.P. Das, Advocate***

-versus-

State of Odisha

***..... Opposite Party
Mr. P. Mohapatra, ASC***

CORAM:

JUSTICE V. NARASINGH

**ORDER
17.05.2022**

Order No.

05.

1. This matter is taken up through Hybrid Mode.
2. The petitioner is an accused in connection with G.R. Case No. 20 of 2020 (N) corresponding to Dharakote P.S. Case No. 172 of 2020, pending on the file of the Learned Addl. Sessions Judge-cum-Special Judge under NDPS Act, Aska for the alleged commission of offence under Sections-20(b)(ii) (C) of the NDPS Act.
3. Being aggrieved by the rejection of their application for bail U/s. 439 Cr.P.C. by the learned Addl. Sessions Judge-cum-Special Judge under NDPS Act, Aska by Order dtd. 18.12.2020 in G.R. Case No. 20 of 2020(N), the present BLAPL has been filed.
4. Heard Mr. S.P. Das, learned counsel for the petitioner and Mr. P. Mohapatra, learned Additional Standing Counsel for the State.

5. Learned counsel for the petitioner relying on the orders passed by this Court dtd. 06.04.2022 in BLAPL No. 744 of 2021 and Order dtd.12.04.2022 in BLAPL No. 652 of 2021 seeks release inter alia on the ground of parity.

6. Learned counsel for the State on the basis of recitals in the Case Diary submits that the petitioner has four criminal antecedents including under the Arms Act and Explosive Substances Act.

7. Taking not account the proclivity of the petitioner, this Court is not inclined to entertain the jurisdiction under Section-439 CrP.C. the bail application of the petitioner stands rejected.

8. It is open to the petitioner to move this Court at a later stage.

9. Accordingly, the BLAPL stands dismissed.

10. Urgent certified copy of this order be granted as per rule.

Balaram

*(V.Narasingh)
Judge*