

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No. 4523 of 2022

Sami Ullaha Siddiqui

....

Petitioner

Mr. Rajib Lochan Pattnaik, Adv.

-versus-

State of Odisha.

....

Opp. Party

*Mr. G.R. Mohapatra,
ASC*

CORAM:
DR. JUSTICE S.K. PANIGRAHI

Order
No.

ORDER
22.09.2022

01. 1.This matter is taken up through hybrid mode.
2. Heard learned counsel for the parties.
3. The petitioner has been charge-sheeted for the commission of offence under Sections 420, 468 and 471/34 of the IPC read with Sections 20(b)(ii)(C) of the NDPS Act in Koraput Town P.S. Case No.222 of 2020 corresponding to T.R. Case No.41 of 2020 of the court of learned Additional Sessions Judge-cum-Special Judge, Koraput. He has filed this application for bail.
4. The brief fact of the case is that on 14.07.2020 as per the direction of the IIC Koraput Town P.S. namely, Sri Chita

Ranjan Pradhani and their staffs were performing M.V. checking. They were found a truck bearing Regd. No.OR-18-T-0188 came from Potangi side. So, the raiding team stopped the vehicle and found the present accused along with another person in the said vehicle. On being interrogated that the present accused and his associates confessed to have transported Ganja in the said truck. Further being asked they opened the tarpaulin and showed 14 numbers of bags containing 311 Kgs and 400 grams of contraband articles. Thereafter, after observing all formalities, they seized the recovered article, arrested all the accused persons including the present petitioner forwarded them to the court for the alleged offence.

5. Learned counsel for the petitioner submits that charge-sheet has already been filed. He submits that the petitioner does not have any nexus with the alleged offences. The petitioner has been falsely implicated in this case due to the ulterior motive of the informant. Furthermore, the petitioner has been languishing in custody since 15.07.2020.

6. Learned counsel for the State vehemently opposed the bail prayer of the petitioner

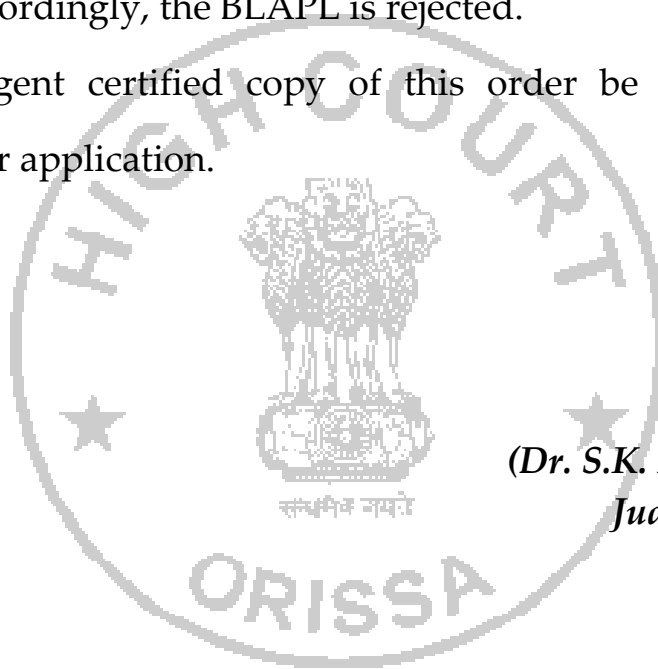
7. Considering the nature and gravity of the accusation, character of evidence appearing against the Petitioner, the stringent punishment provided and also the statutory

bar to grant bail under Section 37(1) of the NDPS Act in an offence of this nature without recording the satisfaction that there are reasonable grounds for believing that the petitioner is not guilty of the offence alleged or not likely to commit any such offence, which is not possible to record in this case, the Petitioner's prayer for bail is devoid of merit. Hence, his prayer for bail stands rejected.

8. Accordingly, the BLAPL is rejected.

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

SD



(Dr. S.K. Panigrahi)
Judge