

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.4643 of 2022

Baleswar Sukri

....

Petitioner

Mr. Subodh Kumar Mohanty, Adv.
-versus-

State of Odisha

....

Opp. Party

Mr. G.R. Mohapatra,
ASC

CORAM:
DR. JUSTICE S.K. PANIGRAHI

Order
No.

ORDER
26.08.2022

01. 1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the parties.
3. The Petitioner is an accused in T.R. Case No. 29 of 2020 arising out of Kundura P.S. Case No. 53 of 2020 on the file of learned Sessions Judge-cum-Special Judge, Jeypore registered for the alleged commission of offence Under Section 20(b) (ii) (c) of N.D.P.S. Act
4. It is alleged in the F.I.R. that on 24.06.2020 of morning the S.I. of Kundura P.S. with his staff were performing patrolling duty at Bolabeda village, they noticed one Max Pick Up vehicle coming in a high speed from Rangiri

side. They detained the said vehicle at Belabade Chhak wherein the present petitioner was only the occupant. On search, 08 numbers of jari packets were recovered from the said vehicle. Eight numbers of them contained 330 Kgs of contraband ganja found and the police was seized the aforesaid contraband articles along with the vehicle, arrested him and forwarded to the Court.

5. It is submitted on behalf of the petitioner that the accused has been falsely implicated in this case and no contraband ganja as alleged has been recovered and seized from the possession of the petitioner. He had no knowledge about the contents of packets.

6. Learned counsel for the State vehemently opposes the bail prayer of the petitioner on the ground that the petitioner was only one occupant in the ganja loaded vehicle. It is further submitted that the seized ganja is more than commercial quantity.

7. It is seen from the record that the earlier bail application of the present petitioner has been rejected by this Court vide order dated 16.02.2022 in BLAPL No. 2744 of 2021. There is no change in circumstances.

8. Considering the aforesaid facts and submissions and the character of evidence appearing against the petitioner, the BLAPL is rejected.

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

(Dr. S.K. Panigrahi)
Judge

SD

