

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3972 of 2021

Manoj Digal

....

Petitioner

Mr. S.K. Bhanjadeo, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. J. Katikia, AGA

CORAM: JUSTICE S.K. PANIGRAHI

ORDER

28.02.2022

Order No.

- 08.
1. The matter is taken up through hybrid mode.
 2. Heard learned counsel for the petitioner and learned counsel for the State.
 3. The petitioner being in judicial custody in connection with Phiringia P.S. Case No.57 of 2020 corresponding to C.T. Case No.36 of 2020, pending in the court of learned Special Judge, Phulbani for the commission of offence under Sections 20(b)(ii)(C), 25 and 29 of the NDPS Act, has filed this application under Section 439 of the Cr.P.C. for his release on bail.
 4. The prosecution case, as narrated in the FIR, is that on 08.07.2020 the informant along with his staff received information that three accused persons were in possession of huge quantity of ganja and transporting the same by a UBER Car and one Bike was escorting the said vehicle. Then, the informant and

his staff stopped the said car as well as the motor cycle and seized two packets of ganja. The total quantity of ganja seized was 101.900 kgs.

5. Learned counsel for the petitioner submits that the petitioner has been in custody since 08.07.2020. He further submits that the petitioner has knowledge about the transportation of ganja. The petitioner has no criminal antecedent. So, the bail application may be allowed.

6. Learned counsel for the State opposes the bail prayer of the petitioner.

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 10.03.2021 in BLAPL No.6935 of 2020. There is no change in circumstance.

8. Considering the aforesaid submissions and the facts of the case, the BLAPL is rejected.

(S.K. Panigrahi)
Judge

pcd