

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4193 OF 2021

Pradeep Kumar Das

..... Petitioner
Mr. R.L. Pattnaik, Advocate

-versus-

State of Odisha

..... Opposite Party
Mr. K.K. Gaya, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
20.06.2022

Order No.
04.

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The Petitioner is an accused in connection with Umerkote P.S. Case No. 08 of 2021 corresponding to Special T.R. Case No.01 of 2021 on the file of learned Additional District & Sessions Judge, Umerkote, registered for the alleged commission of offence under Sections 20(b)(ii)C of the NDPS Act. The petitioner is in custody since 17.05.2021.
4. Being aggrieved by the rejection of his application for bail U/s 439 Cr.P.C. by the learned Additional District & Sessions Judge, Umerkote, by order dated 27.05.2021 in T.R. Case No. 01 of 2021, the present BLAPL has been filed.
5. Learned counsel for the petitioner submits that the basis of implication creates a doubt regarding the involvement of the

petitioner in the alleged crime and as such conscious and exclusive possession cannot be attributed to him. It is noted that the alleged occurrence took place on 07.01.2021 and the petitioner has been taken into custody on the basis of local inquiry on 17.05.2021.

6. Learned counsel for the State opposes the prayer for bail and relying on the bar under Section 37 of the NDPS Act.

7. Taking note of the circumstance in which the petitioner has been implicated in the case at hand and noting the submissions of the learned counsel for the petitioner that the petitioner has no criminal proclivity and the age of the petitioner, this Court directs that the petitioner shall be released on bail on such terms to be fixed by the court in seisin of the matter.

8. Accordingly, the BLAPL stands disposed of.

9. Urgent certified copy of this order be granted as per Rules.

(V.Narasingh)
Judge

Balaram