

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6866 of 2022

Surata Sahani

.... ***Petitioner***
Mr. A.R.Panda, *Advocate*

-versus-

State of Odisha

.... ***Opp. Party***
Mr. P. Tripathy, *A.S.C.*

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

18.07.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the petitioner for anticipatory bail.
4. The petitioner seeking pre-arrest bail in connection C.T. Case No.51 of 2020, arising out of Phiringia P.S. Case No.78 of 2020 pending in the court of learned District & Sessions Judge-cum-Special Judge, Kandhamal at Phulbani for commission of offence punishable under Sections 20(b)(ii)C/25/29 of N.D.P.S. Act.
5. It is submitted learned counsel for the petitioner that some persons while carrying 35 Kgs. 100 grams of ganja in vehicle was intercepted by the police and the seizure was made. One of the said accused persons stated that they procured the ganja from the petitioner. Neither the petitioner was present at the spot nor was

anything seized from his possession. It is further submitted that on confessional statement of the driver, the petitioner has been falsely implicated in the present case.

6. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioner. However, it is directed that in the event the petitioner surrender before the learned court in seisin over the matter, he shall be released on bail on such terms and conditions as would be deemed just and proper.

7. Accordingly, the ABLAPL is disposed of.

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

Jagabandhu

