

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4679 OF 2021

Karanail Singh

..... *Petitioner*
Mr. S.J. Nanda, Advocate

-versus-

State of Odisha

..... *Opposite Party*
Mr. P. K. Parhi, ASGI

CORAM:
JUSTICE V. NARASINGH

ORDER
13.07.2022

Order No.
04.

1. This matter is taken up through Hybrid Mode.
2. The petitioner is accused in connection with Special G.R. Case No. 12 of 2021 corresponding to NCB CRIME No. 02 of 2021, pending on the file of the learned District & Sessions Judge-cum-Special Judge, Deogarh for the alleged commission of offence under Sections-8(C)/ read with Sec. 20(b)(ii) C/25/28 and 29 of the NDPS Act.
3. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C. by the learned Sessions Judge-cum-Special Judge, Deogarh by Order dtd. 03.06.2021 in Spl. G.R. Case No. 12 of 2021, the present BLAPL has been filed.

4. Heard learned Counsel for the petitioner.
5. There is no appearance on behalf of the Opposite Party when the matter is called.
6. Learned counsel for the petitioner submits that, the petitioner is a victim of the circumstances in as much as, he was a helper in the truck as such conscious and exclusive possession cannot be attributed to him.
7. On perusal of the record, it is seen that the contraband seized to the tune of 280 Kgs. Taking note of the same, this Court is not inclined to entertain this application, keeping in view the bar enacted under Section-37 of NDPS Act and the same accordingly stands rejected.
8. The learned Court below is requested to conclude the trial as expeditiously as possible.
9. The BLAPL thus stands disposed of.
10. Urgent certified copy of this order be granted as per rule.

Balaram

*(V.Narasingh)
Judge*