

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.5660 of 2022

Tapan Rout

....

Petitioner

Mr. J.K. Panda, Adv.

-versus-

State of Odisha

....

Opp. Party

Mr. D. Mund

CORAM:
DR. JUSTICE S.K. PANIGRAHI

Order
No.

ORDER
26.08.2022

02. 1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the parties.
3. The petitioner being in custody in connection with 2(a) CC Case No. 41 of 2019 arising out of P.R. Case No. 139 of 2019-20 pending in the court of learned 3rd Additional Sessions Judge-cum-Special Judge, Cuttack, registered for the alleged commission of offence under Section 20 (b) (ii) (C) of NDPS Act.
4. The brief facts of the case is that on 25.09.2019, the informant upon receiving credible information of the transportation of contraband article, apprehended a

Hyundai Santro car bearing registration No. OR-02-AW-2773. On searching, 210 Kgs of Ganja was recovered.

5. Learned counsel for the petitioner submits that a prima facie case is not made out against the petitioner due to lack of evidence. Further, the petitioner was the driver of the car but was not present on the day of the recovery of the contraband ganja. Learned counsel for the petitioner further submits that in spite of vide Order dated 09.05.2022 passed in BLAPL No. 3779 of 2022 the trial has not completed as stipulated.

6. Learned counsel for the State vehemently opposed the bail prayer of the petitioner and submits that the trial has progressed substantially and only the Investigating Officer is left to be examined. Since the Investigating Officer is on maternity leave the same could not be completed.

7. In view of the aforesaid facts, this Court is not inclined to grant the petitioner on bail. However, it is suggested that the I.O. may be examined through V.C. and expedite the trial and conclude the hearing at the earliest.

6. Accordingly, the BLAPL is rejected.

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

(Dr. S.K. Panigrahi)
Judge