

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5902 of 2022

Siba pradhan

....

Petitioner

Mr. M.K. Chand, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. M. Mishra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
07.12.2022

Order No.

04.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner is an accused in connection with Spl. Case (NDPS) No.117 of 2019, pending in the file of the learned Additional Sessions Judge-cum-Special Judge, Kantamal, arising out of Kantamal P.S. Case No.77 of 2019, for alleged commission of offences under Section 20(b)(ii)(C) of NDPS Act.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge-cum-Special Judge, Kantamal, by order dated 13.05.2022 in the aforementioned case, the present BLAPL has been filed.
4. Perused the report of the learned Additional Sessions Judge-cum-Special Judge, Kantamal, indicating that trial has commenced and four out of twenty four cited witnesses have already been examined.

5. Learned counsel for the petitioner relying on the depositions of P.W.3 & 4, who are official witnesses, submits that there is prima facie material to hold that the petitioner has been falsely implicated in the case at hand.

6. Be that as it may, this juncture it is not permissible for this Court to make a microscopic examination of the merits of the case. Hence, this Court is **not inclined** to entertain this bail application at this stage.

7. Learned Court in seisin over the matter is called upon to conclude the trial within a period of four months from the date of receipt/production of the copy of this order.

8. In the event trial is not concluded within the time stipulated, it shall be open to the petitioner to renew his prayer, which shall be considered on its own merits.

9. Accordingly, the BLAPL stands disposed of.

(V. NARASINGH)
Judge

Ayesha