

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.7768 of 2022

S.K. Tajuddin

.... ***Petitioner***
Mr. S. Dwibedi, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. S.K. Patra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

22.07.2022

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 with Special G.R. Case No.138 of 2022, arising out of Jaleswar P.S. Case No.214 of 2019 pending in the court of learned District Judge-cum-Special Judge, Balasore for commission of offence punishable under Section 21(b)/29 of the N.D.P.S. Act.
5. Taking into consideration the nature of offence and non-availability of the case diary, I am not inclined to exercise my discretion under Section 438, Cr.P.C. in favour of the petitioner.
6. However, it is observed that the petitioner, if so advised, may surrender before the learned District Judge-cum-Special Judge, Balasore in the aforesaid case within three weeks from today. In the

event his surrender and motion for bail within the aforesaid period, learned District Judge-cum-Special Judge, Balasore shall do well do dispose of the bail application of the petitioner on the same day on merit in accordance with law. The case diary be made available to the concerned court to facilitate disposal of the bail application of the petitioner.

7. Accordingly, the ABLAPL is disposed of.

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

Jagabandhu

(A.K. Mohapatra)
Judge

