

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No. 6452 OF 2022

Bikran @ Bikranta Majhi

..... ***Petitioner***
Mr. Basudev Mishra, Adv.

-versus-

State of Odisha

..... ***Opposite Party***
Mr. A.Pradhan, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
27.07.2022

Order No.

01.

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the parties.
3. The Petitioner is an accused in connection with G.R. Case No.60 of 2022 arising out of R.Udayagiri P.S. Case No. 68 of 2022 on the file of learned Special Judge, Gajapati, Paralakhemundi, registered for the alleged commission of offence under Sections 20(b)(ii)(C)/25/29 of the NDPS Act.
4. Being aggrieved by the rejection of his application for bail U/s 439 Cr.P.C. by the learned Special Judge, Gajapati, Paralakhemundi, by order dated 27.06.2021, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that since the Charge-sheet has already been submitted in the meanwhile and the petitioner being a local person, there is no chance of his absconding, and from the quantity of contraband

seized, wrong weightment so as to attract the bar contained under Section 37 of the NDPS Act, cannot be readily ruled out.

6. Learned counsel for the State opposes the prayer for bail.

7. Relying on the Charge-sheet he further submits that filing of Charge-sheet goes to show that the petitioner is guilty of commission of the offence and his defence cannot be taken into account at this stage in view of the bar under Section 37 of the NDPS Act. .

8. Taking into account the filing of Charge-sheet and the quantity of contraband seized (21Kgs 200 grams of Ganja), this Court directs that the Petitioner shall be released on bail on such terms to be fixed by the learned court in seisin over the matter.

9. Accordingly, the BLAPL stands disposed of.

10. Issue urgent certified copy of this order as per Rules.

(V.Narasingh)
Judge

Dhal