

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5558 of 2021

Kuti @ Sk. Kurban

....

Petitioner

Mr. A.K. Budhia, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. G.R. Mohapatra, ASC

CORAM:JUSTICE S.K. PANIGRAHI

ORDER

16.03.2022

Order No.

05. 1. The matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in STF P.S. Bhubaneswar Case No.16 of 2020, arising out of Special Case No.08/107 of 2020, of the court of learned Special Judge, Baleswar for the commission of offence under Sections 21(C) & 29 of the NDPS act. He has filed this petition for bail.
4. The prosecution case, as narrated in the FIR, is that on 18.03.2020, the Inspector of Police, S.T.F. Bhubaneswar and his staff apprehended two accused persons at Kalyani near Nilgiri P.S. and seized 2 kgs 737 grams of brown sugar from the possession of the accused persons.

5. Learned counsel for the petitioner submits that, out of 19 witnesses, three have already been examined. The petitioner has been implicated in the case on the basis of confessional statement of the co-accused. The petitioner is in custody since 27.05.2020, So, the bail petition may be allowed.

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

7. Considering the aforesaid facts and the fact that the trial is in progress, this Court is not inclined to release the petitioner on bail. Hence, the BLAPL is rejected.

8. The trial court is directed to expedite the trial and conclude the same within a period of three months hence. If the trial is not completed within the stipulated period, the petitioner may approach this Court.

(S.K. Panigrahi)
Judge

pcd