

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6722 of 2022

***MD. Ijaj @ MD. Ajaj and
another***

....

Petitioners

Mr. A. Dash, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

21.11.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. The petitioners are accused in G.R. Case No.98 of 2021, pending in the file of learned Special Judge-cum-Additional Sessions Judge, Paralakhemundi, Gajapati, Odisha, arising out of Mohana P.S. Case No.170 of 2021, offence under Sections 20(b)(ii)(C)/25/29 of the NDPS Act, 1985.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Spl. Judge-cum-Additional Sessions Judge, Paralakhemundi, Gajapati by order dated 21.05.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioners that the petitioners are in custody since 07.09.2021 and as charge sheet has already been filed on 08.03.2022, further continuance of the petitioners in custody are not warranted.

6. It is on record that the contraband (Ganja) to the tune of 103 kg 700gms was seized from the vehicle in which the petitioners were travelling.

7. Considering the embargo under Section 37 of the NDPS Act and keeping in view the manner in which the seizure has been made, this Court is not persuaded to consider the bail application at this stage.

8. Accordingly, the BLAPL stands rejected.

9 It shall be open to the petitioners to renew their prayer before the learned Court in seisin after progress of trial.

(V. NARASINGH)
Judge



Santoshi