

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7321 of 2022

Ananda Majhi

....

Petitioner

Mr. SMahunta, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K.Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
24.08.2022

Order No.

01.

1. This 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 connection with T.R. Case No. 62 of 2022 arising out of Padmpur P.S. Case No. 51 of 2022, pending on the file of learned Addl. Sessions Judge-cum-Special Judge, Gunupur, under Sections 20(b)(ii)(C)/25/27-A and 29 of N.D.P.S. Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Addl. Sessions Judge-cum-Special Judge, Gunupur, i/c. by order dated 2.07.2022, the present BLAPL has been filed.
5. Learned counsel for the petitioner submits with vehement that conscious exclusive possession cannot be attributed to the

petitioner so as to attract the bar contained under Section 37 of the NDPS Act.

6. Perused the order of rejection. Since the consideration by the learned court in seisin over the matter during investigation, this Court is not inclined to entertain this bail application at this stage.

7. Liberty is given to the petitioner to move after closure of the investigation.

8. Accordingly, the BLAPL stands disposed of.

(V. NARASINGH)
Judge

Dhal

