

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8474 of 2022

Pradhani Jani

....

Petitioner

Mr. M. Kanungo, Senior Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. K. Das, A.S.C.

CORAM:

JUSTICE B. P. ROUTRAY

ORDER

09.11.2022

Order No.

02.

1. This is an application under Sec.439 Cr.P.C. for bail and the offences alleged are under Sections 20(b)(ii)(C)/25/27-A/29 of the NDPS Act for alleged possession and transportation of contraband ganja weighing 113 kg. 540 grams.

2. Heard Mr. M. Kanungo, learned Senior Advocate for the Petitioner as well as Mr. K. Das, learned A.S.C. for the State-Opposite Party.

3. Mr. M. Kanungo, learned Senior Advocate submits on behalf of the Petitioner that all other co-accused persons have been released on bail by this Court in different bail applications and accordingly he prays to release this Petitioner on bail also.

4. None of the orders passed in respect of co-accused persons in BLAPL No.7306 of 2020, BLAPL No.8220 of 2020, BLAPL No.8040 of 2020 and BLAPL No.8511 of 2020 reveal anything dealing the provisions contained under Sections 37 of the NDPS

Act and as such, those orders cannot be considered as the ground of parity in respect of the present Petitioner.

5. Considering the quantity of contraband allegedly seized which attracts commercial quantity, I am not inclined to release the Petitioner on bail keeping in view the embargo contained in Section 37(1)(b) of the NDPS Act. The prayer for bail is rejected.

6. The BLAPL is dismissed.

7. However, it is submitted that in the meantime six witnesses have already examined in course of trial. As such, learned trial court is directed to complete the trial expeditiously, preferably by end of April, 2023.

8. A copy of this order be communicated to the learned trial court.

(*B.P. Routray*)
Judge