

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11643 of 2022

Dilipa Majhi

Petitioner

....
Mr. A.N. Patanayak, Advocate

-versus-

Union of India

Opp. Party

....
Mr. S. Panda, C.G.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

12.10.2022

Order No.

02.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the NCB.
3. This is an application under Section 438, Cr.P.C. filed by the petitioner for anticipatory bail.
4. The petitioner is seeking pre-arrest bail in connection with T.R. Case No.296 of 2022, arising out of NCB P.S. Case No.04 of 2022 pending in the court of learned District and Sessions Judge, Khurda at Bhubaneswar for commission of offence punishable under Section 8(c) read with Sections 20(b)(ii)(C)/25/28 of the N.D.P.S. Act.
5. On instruction, Mr. S. Panda, learned counsel appearing for the NCB submits that during the seizure, ATM Card of the petitioner was found from the possession of one Runjar Meheta and there was no transaction between the said accused with the present petitioner.

He further submits that there is no apprehension of arrest.

6. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioner. However, it is directed that in the event the petitioner surrenders and moves an application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, he shall be released on bail on such terms and conditions as would be deemed just and proper.

7. Accordingly, the ABLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.

Jagabandhu

