

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.13175 of 2022**

***Ranjan Bhoi***

....

***Petitioner***

Mr. B.R. Tripathy, Advocate

*-versus-*

***State of Odisha***

....

***Opp. Party***

Mr. M.K. Mohanty, ASC

**CORAM:**

**JUSTICE CHITTARANJAN DASH**

**ORDER**

**03.11.2022**

**Order No.**

02.

1. Heard learned counsel for the Petitioner and the State.

2. By means of this application under Section 438 Cr.P.C., the Petitioner seeks bail in anticipation of his arrest for alleged involvement in the offence under Sections 20(a) (i) of the NDPS Act read with Section 27(1) of the Odisha Forest Act.

3. It is submitted that the present Petitioner has allegedly been involved in the cultivation of cannabis plant as named by the villagers during the raid conducted by the raiding party consisting of the Police from G. Udyagiri Police Station. It is further submitted that the Petitioner has neither been identified at the spot nor the villagers who named the Petitioner have been identified. Consequently, the allegations made against the present Petitioners are based on suspicion. Since the Petitioner is being chased by the

Police there is an apprehension of his arrest and as such prayed for consideration of his application for anticipatory bail.

4. Learned counsel for the State, on the other hand, vehemently opposed the bail application and contended that the quantity of cannabis cultivation in the area allegedly involving the present Petitioner cannot be taken lightly. On the contrary, the cultivation of cannabis of such quantity being detrimental to the interest of the public and the society as well deserves the prayer of the Petitioner to rejection.

5. Keeping in view the submission of the parties and having gone through the nature of allegations as emerged from the material on record and further the circumstances appearing, the seriousness and gravity of the offences, this Court is not inclined to grant anticipatory bail. However, if the Petitioner so desires and surrenders before the learned court in seisin over the matter, the learned court concerned shall consider the application of the bail of the Petitioner independent of the observation made herein and shall deal with the same on merit strictly on the basis of the materials available on record and shall do well to dispose of the bail application on the same day if there be no legal impediment.

6. The ABLAPL is disposed of.

**(Chittaranjan Dash)**  
**Judge**

KC Bisoi