

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10287 of 2021

Bhima Khilo

.... Petitioner

Mr. A. Biswal, Advocate

-versus-

State of Odisha

.... Opposite Party

Mr. S.S. Mohapatra, Addl. Standing Counsel

CORAM:

SHRI JUSTICE B. P. ROUTRAY

ORDER
20.01.2022

Order No.

01. 1. The matter is taken up through video conferencing mode.
2. Heard Mr. A. Biswal, learned counsel for the Petitioner and Mr. S.S. Mohapatra, learned Additional Standing Counsel.
3. This is an application under Section 439 Cr.P.C. for grant of bail to the Petitioner Bhima Khilo in connection with Semiliguda P.S. Case No.2 of 2021 corresponding to T.R. Case No.1 of 2021 pending in the court of learned Additional Sessions Judge-cum-Special Judge, Koraput for alleged commission of offence under Section 20(b)(ii)(C)/29 of the NDPS Act.
4. It is submitted that the Petitioner is inside custody since 5th June, 2021 and neither he was present at the spot of detection nor any contraband was seized from his possession, but he has been implicated on the basis of statement of co-accused persons.

5. Mr. Mohapatra, learned Additional Standing Counsel submits that this Petitioner is a professional supplier of contraband and having six numbers of criminal antecedents of similar nature.

6. In the present case 110 Kg. of contraband Ganja was seized from possession of co-accused persons while transporting the same.

7. Having heard both parties and keeping in view the embargo contained in Section 37(1)(b) of the NDPS Act, I am not inclined to release the Petitioner on bail. Accordingly his prayer for bail is rejected.

8. The BLAPL is dismissed.

9. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, in the manner prescribed vide Court's Notice No.514 dated 7th January, 2022.

(B.P. Routray)
Judge