

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10541 of 2021

Chakradhar Sahoo @ Chakra Sahoo ***Petitioner***

Mr. Satyabrata Dash, Advocate
-versus-

State of Odisha ***Opposite Party***
Mr. M.K. Mohanty, ASC

CORAM: JUSTICE S.K. PANIGRAHI

ORDER

09.02.2022

Order No.

- 02.
1. The matter is taken up through hybrid mode.
 2. This is an application under Section 439 of the Cr.P.C. for bail.
 3. Heard learned counsel for the petitioner and learned counsel for the State.
 4. The petitioner is an accused in Gochhapada P.S. Case No.4 of 2020, arising out of C.T. Case No.5 of 2020 pending in the court of learned Sessions Judge-Cum-Special Judge, Phulbani for the commission of offence under Section 20(b)(ii)(C) of the NDPS Act.
 5. The facts of the case, as narrated in the FIR, are that the petitioner was illegally transporting ganja through a motorcycle bearing Registration No.0D-12B-4184. Getting information, the informant along with his staff proceeded to the spot and found

that the petitioner was coming through the said vehicle. They detained the said vehicle along with its driver. On search, they found 35 kgs 500 grams of ganja from the possession of the petitioner.

6. Learned counsel for the petitioner submits that the petitioner is in judicial custody since 13.01.2020 and the commitment of the trial is also seems bleak at least in near future. There is no material against the petitioner in the commission of the crime. There is no criminal antecedent found against the present petitioner. So, the bail application may be allowed.

7. Learned counsel for the State submits that trial is in progress. Out of 17 witnesses, three has already been examined. So, he opposes the bail prayer of the petitioner.

8. Considering the facts of the case and since the trial is going on, it is not appropriate to grant bail at this stage. Accordingly, the BLAPL is rejected.

9. However, the trial court is directed to complete the trial within next four months from today.

(S.K. Panigrahi)
Judge

pcd

