

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

**ABLAPL No.15745 of 2021**

**Deepak Pradhan** .... **Petitioner**

Mr.S.K. Bhanjadeo, Advocate

-versus-

**State of Odisha** .... **Opp. Party**

Mr.D.K. Pani,  
Addl. Standing Counsel

**CORAM:**  
**JUSTICE S.K. SAHOO**

**ORDER**  
**05.01.2022**

**Order No.**

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioner and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Khurda P.S. Case No.397 of 2019 corresponding to T.R.Case No.75 of 2019 pending before the learned 1<sup>st</sup> Addl. Sessions Judge -cum- Special Judge, NDPS, Khurda for commission of alleged offences under sections 20(b)(ii)(C) and 29 of the N.D.P.S. Act.

Learned counsel for the petitioner submitted that the petitioner has not been named in the F.I.R. and merely because he is the registered owner of the

vehicle, which was utilized for the purpose of escorting the offending vehicle, he has been entangled in the case as an accused. Learned counsel further submitted that the co-accused persons have already been released on bail and therefore, the prayer for anticipatory bail may be favourably considered.

Learned counsel for the State opposed the prayer for anticipatory bail.

Considering the submissions made by the learned counsel for the respective parties, nature of accusation against the petitioner and since it is a case of seizure of commercial quantity of ganja and in view of the bar under section 37 of the N.D.P.S. Act, I direct that in the event the petitioner surrenders and moves for bail before the learned Court below, the same shall be disposed of in accordance with law and the claim of parity with the co-accused persons shall be taken into account. The case records shall be made available to the Court concerned.

The ABLAPL stands disposed of.

Issue urgent certified copy as per Rules.

**( S.K. Sahoo )**  
**Judge**