

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16533 of 2021

Prasant Sethi

....

Petitioner

Mr. B.K. Rout, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr. A.K. Beura,
Addl. Standing Counsel*

CORAM:

JUSTICE S.K. SAHOO

ORDER

25.01.2022

Order No.

01.

This matter is taken up by video conferencing 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 G.R. Case No.29 of 2021 arising out of Phiringia P.S. Case No.42 of 2021 pending in the Court of learned Special Judge, Phulbani for alleged commission of offences under sections 20(b)(ii)(C)/25/29 of the N.D.P.S. Act.

Perused the F.I.R.

Learned counsel for the petitioner submitted that the petitioner is the registered owner of the offending vehicle and he was not present at the spot and he was in the hospital and he has been falsely entangled in the case and he has never knowingly permitted the vehicle to be

used for carrying contraband ganja and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State opposed the prayer for bail.

Considering submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner, seizure of commercial quantity of ganja from the offending vehicle, bar under section 37 of the N.D.P.S. Act, while not inclining to grant anticipatory bail to the petitioner, it is observed that in the event the petitioner surrenders in the Court below within a period of four weeks from today and moves for bail before the learned Court below, the same shall be disposed of as expeditiously as possible by the Court below in accordance with law. The case records shall be made available to the Court concerned.

The ABLAPL is accordingly disposed of.

Parties may utilize the soft copy of this order available in the High Court's website or print out thereof at par with certified copy in the manner prescribed vide Office Order dated 7th January 2022.

(S.K. Sahoo)
Judge

RKM