



Crl.O.P.No.5629 of 2023

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A.D.JAGADISH CHANDIRA,J.

The petitioner, who was arrested and remanded to judicial custody on 17.02.2023, for the alleged offences punishable under Sections 8(c) r/w 20(b)(ii)(B) of NDPS Act, in Crime No.19 of 2023, on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that on receiving a secret information, the respondent Police along with his team went to the scene of occurrence and they found that the petitioner was in illegal possession of 7.5 kgs of Ganja. Hence the complaint.

3. Learned Counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the contraband involved in this case is in-between quantity. He also submitted that the petitioner is in custody from 17.02.2023 and he is prepared to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.



Crl.O.P.No.5629 of 2023

WEB COPY

4. Per contra, the learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioner is a native of Odisha and he was found in illegal possession of 7.5 kgs of Ganja. He also submitted that the petitioner has been arrested very recently on 17.02.2023 and the investigation is also at nascent stage and therefore, if bail is granted to the petitioner at this stage, there is every possibility of him, interfering with the investigation and also tampering with the evidence. Therefore, he prayed for dismissal of the petition.

5. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent and perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned Additional Public Prosecutor and taking note of the fact that the petitioner was arrested very recently on 17.02.2023 and also considering the nascent stage of investigation, this Court is not inclined to grant bail to the petitioner.



Crl.O.P.No.5629 of 2023

WEB COPY

7. Accordingly, the Criminal Original Petition stands dismissed for the present.

13.03.2023

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