



**Crl.O.P.No.26988 of 2024**

**A.D.JAGADISH CHANDIRA, J.**

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This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 20.02.2024, seeking bail in Crime No.55 of 2024 for the alleged offences punishable under Sections 8(c) read with Section 20(b)(ii)(C) and 29(1) of NDPS Act.

2. The case of the prosecution is that the petitioner along with other accused were found in possession of 104 kgs of ganja, which is a commercial quantity.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner has not committed any offence as alleged by the prosecution, however, he is in custody from 20.02.2024. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.



4. Learned Government Advocate (Criminal Side) appearing for the respondent police vehemently opposed for granting bail to the petitioner stating that the petitioner along with other accused were found in possession of 104 kgs of ganja and the contraband seized from the petitioner is 64kgs of ganja. He further submit that, apart from this case, petitioner has also involved in another case in Crime No.127 of 2020 on the file of the Chitrakonda Police Station at Odisha under the NDPS Act. He also submitted that, investigation in this case has been completed and charge sheet also filed.

5. Heard both sides and perused the materials available on record.

6. Considering the fact that the contraband seized from the petitioner is a commercial quantity and the petitioner has got similar previous case, this Court is of the view that the petitioner has not satisfied the twin conditions as contemplated under Section 37 of NDPS Act. Hence, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the Criminal Original Petition stands dismissed.

**13.11.2024**

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