
Rama Muduli Vs State Of Orissa

Bail Application No. 1125 Of 2023

Court: Orissa High Court

Date of Decision: July 4, 2023

Acts Referred:

Code of Criminal Procedure, 1973 " Section 439#Narcotic Drugs and Psychotropic Substances Act, 1985 " Section 20(b)(ii)(c), 29, 37

Hon'ble Judges: V. Narasingh, J

Bench: Single Bench

Advocate: S.K. Rout, K.K. Gaya

Final Decision: Disposed Of

Judgement

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V. Narasingh, J

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

2. The Petitioner is an accused in connection with T.R case No. 61 of 2022, pending in the Court of learned Addl. Sessions Judge-cum-Special Judge,

Koraput, for alleged commission of offences under Sections 20(b)(ii)(c)/ 29 of NDPS Act for possessing 5185 Kgs and 300 grams of ganja.

3. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C. by the learned Additional Sessions Judge-cum-Special Judge, Koraput

by order dated 19.12.2022 in the aforementioned case, the present BLAPL has been filed.

4. Taking into account the contraband seized is to the tune of 5185 Kgs and 300 grams, this Court is of the considered view that in terms of the

stipulation in Section 37 of the NDPS Act, it would not be prudent to consider the application for bail, during currency of investigation, without having

the benefit of evaluation of incriminating materials qua the petitioner, post charge sheet by the learned Court in seisin.

[illegible]