

(2024) 03 OHC CK 0114
In the Orissa High Court
Case No : Bail Application No. 634 Of 2024

Sonu Mahato

APPELLANT

Vs

State Of Odisha

RESPONDENT

Date of Decision : 15-03-2024

Acts Referred:

Code of Criminal Procedure, 1973 — Section 439

Narcotic Drugs and Psychotropic Substances Act, 1985 — Section 21(b), 25, 27(A), 29

Citation : (2024) 03 OHC CK 0114

Hon'ble Judges : V. Narasingh, J

Bench : Single Bench

Advocate : B.P. Mohanty, S. Pattnaik

Final Decision : Dismissed

Judgement

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 Special G.R. Case No.113 of 2022 pending on the file of learned Special Judge, Sundargarh, arising out of Sundargarh Town P.S. Case No.224 of 2022 for commission of offence alleged under Sections 21(b)/25/29/27(A) of the NDPS Act.
3. Learned counsel, on instruction, submits that except the present BLAPL, no other bail application of the Petitioner relating to the aforementioned P.S. Case is pending in any other Court.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Special Judge, Sundargarh by order dated 14.12.2023 in the aforementioned case, the present BLAPL has been filed.
5. As per the learned counsel for the Petitioner, this is the third journey of the Petitioner to this Court. The bail application of the Petitioner was allowed by this Court by order dated 01.11.2022 in BLAPL No.9228 of 2022 subject to

verification of criminal antecedent. Since the Petitioner has 13 criminal antecedents including two NDPS cases, this Court by order dated 17.03.2023 in BLAPL No.660 of 2023 was not inclined to entertain the same.

6. In the certificate filed in the case at hand, both the cases have been mentioned.

7. On perusal of the record of this Court, it is seen that the earlier rejection of the bail applications of Petitioner by this Court in BLAPL Nos.5362 & 8720 of 2023 which was disposed of by orders dated 22.06.2023 & 29.08.2023 respectively have not been mentioned in the certificate furnished.

8. Considering the conduct of the Petitioner in trying to hoodwink, this Court is not inclined to exercise its discretion.

9. Taking into account the submission of the learned counsel that he acted only as per instructions, this Court refrains from issuing any notice to him.

10. Accordingly, the BLAPL stands rejected.

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