



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.573 of 2023

Prabhat @ Pravat Kumar Sethi ...

Appellant

Mr. C. Samantaray, Advocate

-versus-

State of Odisha

... Respondent

Mr. A.K. Apat, Addl. PP

**CORAM:
JUSTICE G. SATAPATHY**

**ORDER(ORAL)
07.03.2025**

**Order No.
10.**

I.A. No.3283 of 2024 & CRLA No. 573 of 2023

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is an application by the appellant/petitioner Prabhat @ Pravat Kumar Sethi for grant of bail pending further execution of sentence till disposal of the appeal.
3. Heard, Mr. Chandan Samantaray, learned counsel for the appellant-petitioner and Mr. A.K.Apat, learned Additional Public Prosecutor and perused the record.
4. It appears from the record that the present appellant-petitioner along with another have been convicted for commission of offence punishable U/S.21(C) of the NDPS Act and are accordingly awarded with maximum substantive sentence of Rigorous Imprisonment(RI) for ten years, but the



present appellant-petitioner has earlier approached this Court for grant of interim bail in IA No.2698 of 2023 by giving false information of marriage of the sister and accordingly the mother of the appellant-petitioner has also tendered unconditional apology before this Court for providing wrong information. Since the appellant-petitioner has been convicted for offence punishable U/S.21(C) of the NDPS Act, thereby the satisfaction of conditions of Section 37 of the NDPS Act by the appellant-petitioner has become not only stricter, but also became stringent.

5. In view of the aforesaid facts and circumstances and after having considered the rival submission and on going through the impugned judgment keeping in view the surrounding evidence on record and taking into account the law laid down by Apex Court in ***State (NCT of Delhi) Narcotics Control Bureau vs. Lokesh Chadha; (2021) 5 SCC 724*** the appellant-petitioner having been unable to satisfy the conditions of 37 of NDPS Act is not entitled to bail.

6. Accordingly, the bail application of the appellant-petitioner stands dismissed.

7. Hence, the IA stands dismissed. List CRLA No. 573 of 2023 on 15.05.2025 for hearing.

(G. Satapathy)
Judge