

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.147 of 2022

Santosh Sahu

....

Petitioner

Mr.B.R. Mohanty, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mrs.Susamarani Sahoo,
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

ORDER

30.06.2022

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

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

This is an application for bail under section 439 of Cr.P.C. in connection with Phiringia P.S. Case No.36 of 2017 corresponding to C.T. Case No.39 of 2017 pending in the Court of learned Sessions Judge -cum- Special Judge, Phulbani for the offence punishable under section 20(b)(ii)(C) of the N.D.P.S. Act.

The prayer for bail of the petitioner was rejected by the learned Special Judge, Phulbani vide order dated 14.09.2021.

Learned counsel for the petitioner submitted that the petitioner was taken into judicial custody in connection with this case for the first time on 14.03.2017. He filed a bail application before this Court in BLAPL No. 3214 of 2017 and

as per the order dated 09.05.2018 passed in Misc. Case No. 250 of 2018, the petitioner was directed to be released on interim bail from 14.05.2018 to 18.06.2018. However, he did not surrender on expiry of the interim bail period for which the said bail application was rejected. It is further submitted by the learned counsel for the petitioner that on account of issuance of non-bailable warrant of arrest, the petitioner was again taken into judicial custody on 27.08.2021.

From the submission made by the learned counsel for the petitioner, it is apparent that the petitioner has flouted the terms and conditions of the earlier interim bail order passed in BLAPL No. 3214 of 2017 and for three years, he remained as an absconder. Therefore, I am not inclined to release the petitioner on bail. The learned trial Court is directed to expedite the trial and conclude the same within a period of six months from the date of receipt of a copy of this order. The petitioner is at liberty to renew his prayer for bail if the trial is not concluded within the aforesaid period.

The BLAPL is accordingly disposed of.

A copy of the order be communicated to the learned trial Court.

(S.K. Sahoo)
Judge

PKSahoo