

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.385 of 2022

Sukadeb Hantal

....

Petitioner

Mrs. Babita Sahou, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mrs. Susamarani Sahoo,
Addl. Standing Counsel*

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

**ORDER
21.11.2022**

Order No.

04. 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 under section 439 of Cr.P.C. in connection with Mathili P.S. Case No. 129 of 2019 corresponding to T.R. Case No.103 of 2019 pending in the Court of learned Addl. Sessions Judge –cum- Special Judge, Malkangiri for offence punishable under section 20(b)(ii)(C) of the N.D.P.S. Act.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 30.01.2019 and his earlier bail application in BLAPL No.7292 of 2020 was rejected as per order dated

22.02.2021 and direction was given to the learned trial Court 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 and liberty was granted to the petitioner to renew his prayer for bail, if the trial is not concluded within the aforesaid period. Learned counsel for the petitioner further submitted that till date, there is slow progress in the trial and therefore, the petitioner may be granted interim bail for some period.

The status report dated 03.11.2022 submitted by the learned trial Court indicates that out of total nineteen charge sheet witnesses, only ten witnesses have been examined so far.

Learned counsel for the State has no serious objection to the grant of interim bail.

Considering the submissions made by the learned counsel for the respective parties, while not inclining to release the petitioner on bail on merit, but keeping in view the slow progress of trial and taking into account the period of detention of the petitioner in judicial custody, I am inclined to release the petitioner on interim bail for a period of three months from the date of release and the petitioner shall surrender before the learned trial Court immediately on expiry of the three months period.

For the above period, let the petitioner be

released on interim bail in the aforesaid case on furnishing bail bond of Rs.50,000/-(rupees fifty thousand) with two local solvent sureties each for the like amount to the satisfaction of the learned Court in seisin over the matter with further terms and conditions that while on interim bail, the petitioner shall not try to come in contact with any of the prosecution witnesses or tamper with the evidence, he shall not indulge in any criminal activities and he shall appear before the learned trial Court on each date on which the date would be fixed for trial during the interim bail period.

Violation of any terms and conditions shall entail cancellation of interim bail.

Accordingly, the BLAPL is disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge