

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL Nos.399 and 401 of 2021

BLAPL No.399 of 2021

Sunil Ray

.... ***Petitioner***

Mr.Manas Chand, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr.K.K.Das, ASC

AND

BLAPL No.401 of 2021

Hrushikesh Deb

.... ***Petitioner***

Mr.Manas Chand, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr.K.K.Das, ASC

**CORAM:
JUSTICE B. P. ROUTRAY**

**ORDER
4.3.2022**

Order No.

3.

1. Heard Mr.Chand, learned counsel for the Petitioners and Mr.Das, learned Additional Standing Counsel for the State.

2. The offences alleged are under Sections 20(b)(ii)(C) of the N.D.P.S.Act for alleged possession of contraband ganja weighing 50Kg.980 Grams.

3. It is submitted that both the Petitioners, namely, Sunil Ray and Hrushikesh Deb are inside custody since 11th July, 2019. In the meantime, only three witnesses have been examined out of nineteen charge-sheeted witnesses.

4. Upon hearing Mr.Das, learned Additional Standing Counsel for the State and keeping in view the embargo contained in Section 37(1)(b) of the N.D.P.S. Act, I am not inclined to release the Petitioners on bail.

5. Accordingly, the prayer for bail is rejected.

6. However, considering the long detention of the Petitioners inside custody and slow progress in trial, it is directed to release the Petitioners on interim bail in T.R.No.16 of 2019 arising out of Nandpur P.S.Case No.35 of 2019 by the learned Additional Sessions Judge-cum-Special Judge, Koraput for a period of three months from the date of their release on such terms and conditions as the learned Additional Sessions Judge-cum-Special Judge may deem fit and proper, including the conditions that the Petitioners shall furnish two sureties each out of which one shall be their relatives respectively and that, the petitioners shall not be involved in any other offence while on interim bail and shall attend the trial court on each date fixed.

7. It is made clear that the Petitioners shall surrender before the court below on or before 20th June, 2022, failing which the learned court below shall take all necessary steps including issuance of NBW of arrest to apprehend them.

8. Both the bail applications are disposed of.

9. Urgent certified copy of this order be granted in course of the day.

(B.P. Routray)
Judge

