

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.987 of 2022

Loknath Sahoo

....

Petitioner

Mr.S. Dasmohapatra, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. J.P. Patra,

Addl. Standing Counsel

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

**ORDER
06.05.2022**

Order No.

03.

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 Saheednagar P.S. Case No.97 of 2020 corresponding to T.R. Case No.124 of 2020 pending in the Court of learned 2nd Additional Sessions Judge, Bhubaneswar for offence punishable under section 20(b)(ii)(C) of the N.D.P.S. Act.

The petitioner moved an application for bail before the Court of learned 2nd Additional Sessions Judge, Bhubaneswar, which was rejected on 01.02.2022.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 19.03.2020 and his earlier

bail application in BLAPL No.3981 of 2021 was rejected as per order dated 17.06.2021 and direction was given to the learned trial Court to expedite and trial and conclude the same within a period of six months from the date of framing of the charge, but till date not a single witness has been examined and therefore, the prayer for bail may be favourably reconsidered.

Learned counsel for the State opposed the prayer for bail.

Status report was called for as per order dated 22.04.2022 and the learned trial Court has furnished the same vide letter dated 30.04.2022 from which it appears that till date not a single witness has been examined.

Considering the submissions made by the learned counsel for the respective parties, at this stage, while not inclining to release the petitioner on bail on merit, but 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 and shall appear before the Inspector in-charge of Saheednagar police station once in a week 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



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