

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.1037 of 2022

Debendra Dhar @ Debar* *Petitioner

Mr.S.K. Jena, Advocate

-versus-

State of Odisha* *Opp. Party

*Mr.Arupananda Das,
Addl. Government Advocate*

**CORAM:
JUSTICE S.K. SAHOO
ORDER
24.06.2022
I.A. No. 992 of 2022**

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).
Learned counsel for the petitioner does not want to press this interim application.
The I.A. stands disposed of as withdrawn.

**(S.K. Sahoo)
Judge**

BLAPL No.1037 of 2022

02. 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 Bheden P.S. Case No.49 of 2021 corresponding to C.T. (Spl.) Case No.14/129 of

2021 pending in the Court of learned Addl. Sessions Judge, Bargarh for offence punishable under sections 274 and 275 of the Indian Penal Code read with section 2 of the Odisha Act 003 of 1999, section 13 of Drugs and Cosmetics Act and sections 21(b) and 25 of the N.D.P.S. Act.

The prayer for bail of the petitioner was rejected by the learned Addl. Sessions Judge, Bargarh vide order dated 10.01.2022.

Learned counsel for the petitioner submits that the petitioner is in judicial custody since 24.03.2021 and his earlier bail application in BLAPL No.2887 of 2021 was rejected on merit as per order dated 06.09.2021. Learned counsel further submits that till date, no charge has been framed and therefore, the learned trial Court may be directed to expedite the framing of charge and take steps for examination of the material witnesses at the first instance.

Learned counsel for the State has no objection to such prayer.

Considering the submissions made by the learned counsel for the respective parties, while rejecting the bail application, I direct the learned trial Court to take steps for framing of charge and examination of the material witnesses at the first instance and the petitioner is at liberty to renew his prayer for bail after examination of the material witnesses in the learned trial Court.

The BLAPL is accordingly disposed of.

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

(S.K. Sahoo)
Judge

PKSahoo

