

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No.1825 of 2022**

***Samson Majhi***

*....*

***Petitioner***

*Mr. P. Mohanty, Advocate*

*-versus-*

***State of Odisha***

*....*

***Opp. Party***

*Mr. Manoranjan Mishra,  
Addl. Standing Counsel*

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

**ORDER  
12.08.2022**

**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. *संक्षेपित न्यायो*

This is an application under section 439 of Cr.P.C. in connection with R.Udayagiri P.S. Case No.75 of 2020 corresponding to G.R. Case No.57 of 2020 pending in the Court of learned Additional Sessions Judge -cum- Special Judge, Parlakhemundi, Gajapati for offences punishable under sections 20(b)(ii)(C)/29 of the N.D.P.S. Act.

The petitioner moved an application for bail before the Court of learned Additional Sessions Judge -cum- Special Judge, Parlakhemundi which was rejected on 15.02.2022.

Learned counsel for the petitioner submitted that

the petitioner is in judicial custody since 26.09.2020 and his earlier bail application in BLAPL No.7338 of 2020 was disposed of as per order dated 08.03.2021 and direction was given to the learned trial Court to expedite the trial and if possible, to conclude the same within a period of six months from the date of framing of charge and the petitioner was given liberty to renew the prayer for bail, if the trial is not concluded within the aforesaid period. Learned counsel further submitted that out of nineteen charge sheet witnesses, only eight witnesses have been examined and in view of delayed disposal of the trial, the prayer for bail of the petitioner may be favourably reconsidered.

Status report was called for as per order dated 15.07.2022 and the learned trial Court has furnished the same vide letter dated 22.07.2022 from which it appears that out of nineteen charge sheet witnesses, only eight witnesses have been examined.

Learned counsel for the State on instruction submitted that there is no criminal antecedent against the petitioner.

Considering the submissions made by the learned counsel for the respective parties, the slow progress of trial and in absence of any criminal antecedents, 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

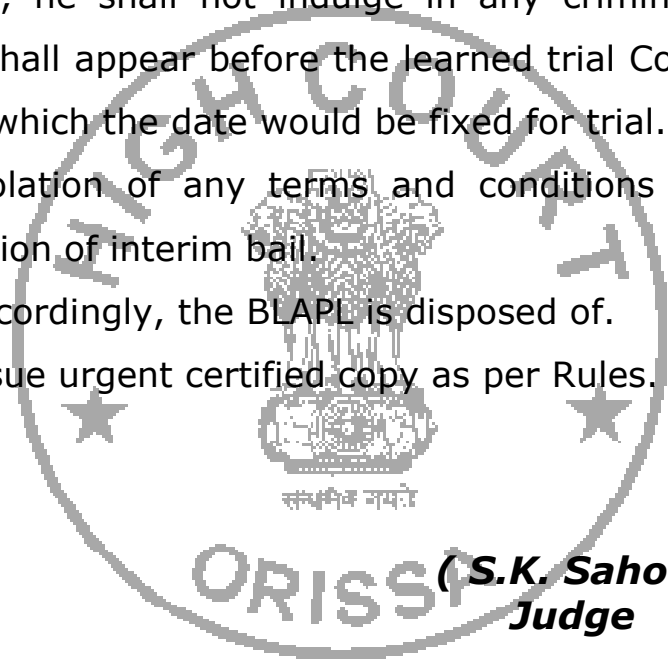
surrender before the learned trial Court immediately on expiry of the three months period.

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.

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**

RKM