

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.1875 of 2022

Jakab Majhi

....

Petitioner

Mrs. Sujata Jena, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr. Arupananda Das,
Addl. Government Advocate*

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

**ORDER
20.12.2022**

Order No.

02. 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 Badagada P.S. Case No.196 of 2019 corresponding to Special G.R. Case No.13 of 2019 pending in the Court of learned Additional Sessions Judge -cum- Special Judge, Bhanjanagar 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 Special Judge, Bhanjanagar which was rejected on 14.12.2021.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 13.09.2019 and when he approached this Court for bail for the first time in

BLAPL No.4564 of 2020, the same was disposed of as per the order dated 03.02.2021 and while rejecting the application for bail, the learned trial Court was directed to expedite the trial and conclude the same within a period of six months from the date of receipt of the order and the petitioner was given liberty to renew the prayer for bail, if the trial is not concluded within the aforesaid period.

The status report furnished by the learned trial Court dated 09.12.2022 indicates that out of twenty three charge sheet witnesses, only one witness has been examined.

Learned counsel for the petitioner drew the attention of this Court to the bail order passed in respect of the co-accused Sindhu Gamango, who has been released on bail in BLAPL No.3854 of 2022 as per the order dated 28.10.2022.

Learned counsel for the State has no serious objection so far as the interim bail of the petitioner is concerned.

Considering the submissions made by the learned counsel for the respective parties, the period of detention of the petitioner in judicial custody and the slow progress of the trial, 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.

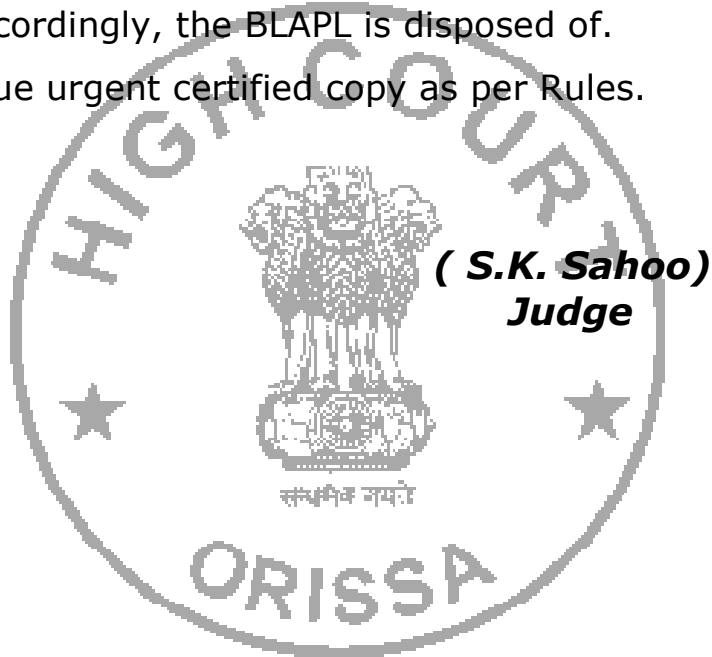
For the above period, let the petitioner be released on interim bail in the aforesaid case on furnishing bail bond of Rs.50,000/- (rupees fifty thousand) with two local

solvent sureties each for the like amount to the satisfaction of the learned Court in seisin over the matter with further terms and conditions as the learned Court may deem just and proper subject to conditions that while on interim bail, the petitioner shall not indulge in any criminal activities in any manner and he shall appear before the learned trial Court on each date to which the case would be posted for trial.

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

Accordingly, the BLAPL is disposed of.

Issue urgent certified copy as per Rules.



RKM