

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

**BLAPL No.2593 of 2022**

***Bubuna Behera @ Bibhuti* .... *Petitioner***

*Mr. Devashis Panda, Advocate*

*-versus-*

***State of Odisha* .... *Opp. Party***

*Mr. Debasis Biswal,  
Addl. Standing Counsel*

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

**ORDER**

**14.10.2022**

**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 Spl. G.R. Case No.121 of 2020 arising out of Baseli Sahi P.S. Case No.258 of 2020 pending in the Court of learned Special Judge, Puri for offences punishable under sections 120-B of the Indian Penal Code and sections 21(C)/29 of the N.D.P.S. Act read with section 21(1-B)(a)/27 of the Arms Act.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 05.10.2020 and the petitioner was granted interim

bail from 16.12.2021 to 03.01.2022 by this Court in BLAPL No.11090 of 2021 in order to perform the obsequies ceremony of his brother as per the order dated 15.12.2021 and after availing the said interim bail period, he surrendered before the learned Court below at right time. He further submitted that the petitioner is a local man and in view of inordinate delay in disposal of the case and the conduct of the petitioner in complying with the conditions of the earlier interim bail order, the petitioner may be granted interim bail for some period.

Status report was called for as per order dated 16.09.2022 and the learned trial Court has furnished the same vide letter dated 27.09.2022 from which it appears that the petitioner is in judicial custody since 05.10.2020 and till date no police paper has been supplied to the petitioner.

Learned counsel for the State has no serious objection.

Considering the submissions made by the learned counsel for the respective parties, the period of detention of the petitioner in judicial custody and the conduct of the petitioner in complying with the terms of the earlier interim bail order, at this stage, while not inclining to release the petitioner on bail on merit, 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 during the period of interim bail. The Inspector in-charge of Baseli Sahi police station shall keep a close vigil over the activities of the petitioner 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**