

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 2884 of 2022

Ullash Chandra Mallick* *Petitioner

Mr.S.R. Mohapatra, Advocate

-versus-

State of Odisha* *Opp.Party

Mr.Arupananda Das

Addl. Government Advocate

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

**ORDER
27.09.2022**

Order No.

02.

This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard the learned counsel for the petitioner and learned counsel for the State.

This is an application under section 439 of Cr.P.C. for grant of bail to the petitioner in connection with Daringibadi P.S. Case No. 128 of 2020 corresponding to C.T. No. 57 of 2020 pending in the Court of learned Addl. Sessions Judge -cum- Special Judge, Baliguda for alleged commission of offences under sections 20(b)(ii)(C) and 29 of the N.D.P.S. Act.

The petitioner moved an application for bail before the Court of learned Addl. Sessions Judge -cum- Special Judge, Baliguda, which was rejected on 07.02.2022.

Learned counsel for the petitioner submits that the petitioner

is in judicial custody since 24.10.2020 and his earlier bail application in BLAPL No. 1012 of 2021 was rejected as per order dated 20.07.2021 and direction was given to the learned trial Court to expedite the trial and conclude the same within a period of six months from the date of receipt of framing of charge, but the same has not been complied with. He further submitted that the petitioner is a local man and there is no chance of his absconding and therefore, the petitioner may be granted interim bail for some time.

Learned counsel for the State has no serious objection for grant of interim bail to the petitioner.

Considering the submissions made by the learned counsel for the respective parties, the period of detention of the petitioner in judicial custody and the fact that the earlier order passed by this Court in BLAPL No. 1012 of 2021 has not been complied with, 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. 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 including the conditions that he shall not indulge in any criminal activities and shall appear before the learned trial Court on each date to which the case would be posted for trial during the interim bail period.

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.

(S.K. Sahoo)
Judge

PKSahoo

