

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2988 of 2022

Sunil Bag

....

Petitioner

Mr. P. Sahu, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr. Arupananda Das,
Addl. Government Advocate*

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

**ORDER
28.09.2022**

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 Ainthapali P.S. Case No.179 of 2017 corresponding to T.R. Case No.59/04 of 2017-18 pending in the Court of learned Sessions Judge -cum- Special Judge, Sambalpur for offences punishable under section 20(b)(ii)(C) of the N.D.P.S. Act.

Learned counsel for the petitioner submitted that the petitioner was taken into judicial custody on 16.06.2017 and on the ground of delayed disposal of the trial, he has been released on interim bail on three occasions and last time in BLAPL No. 6473 of 2019 as

per order dated 29.11.2019 and after availing the interim bail period, the petitioner has surrendered before the learned trial Court at right time. He further submitted that in the trial Court, out of eighteen charge sheet witnesses, four witnesses have been examined so far and therefore, the petitioner may be granted interim bail for some period.

Learned counsel for the State opposed the prayer for bail.

Status report was called for as per order dated 26.08.2022 and the learned trial Court has furnished the same vide letter dated 30.08.2022 from which it appears that out of eighteen charge sheet witnesses, four witnesses have been examined.

Considering the submissions made by the learned counsel for the respective parties, the slow progress of trial, 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.

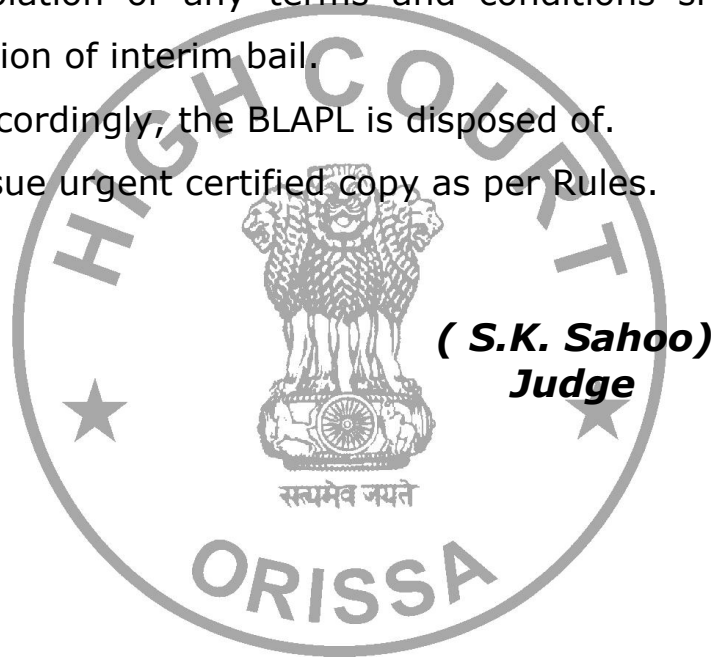
For the above period, let the petitioner be released on interim bail in the aforesaid case on furnishing bail bond of Rs.50,000/-(rupees fifty thousand) with two local solvent sureties each for the like amount to the satisfaction of the learned Court in seisin over the matter with further terms and conditions that while on interim

bail, the petitioner shall appear before the Inspector in-charge of Ainthapali police station once in a week on every Monday in between 10.00 a.m. to 4.00 p.m., 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. The Inspector in-charge of Ainthapali 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.



P