

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3017 of 2022

Sagar Pradhan

....

Petitioner

Mr. A. Das, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
20.05.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in C.T. Case No.54 of 2020, on the files of learned Additional Sessions Judge, Baliguda, arising out of Daringbadi P.S. Case No.115 of 2020, under Sections 20(b)(ii)C/25/29 of the NDPS Act and is in custody since 30.09.2020.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Special Judge-cum Additional District Judge, Balliguda, District- Kandhamal by order dated 28.03.2022 in the aforementioned case, the present BLAPL has been filed.

5. Taking into account that the petitioner is in custody since 29.09.2020 and the trial has not commenced, in view of the law laid down by the Apex Court in the case of ***Hussainara Khatoon & Ors vs. Home Secretary, State of Bihar*** reported in ***1979 AIR 1369, 1979 SCR (3) 532***, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter this Court directs the petitioner to be released on bail, on such terms to be fixed by the learned Court in seisin over the matter so as to ensure his presence on each date of trial.

6. The BLAPL accordingly stands disposed of.

7. Urgent certified copy of this order be granted as per rules.

Santoshi

