

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3031 of 2022

Milikshya Tandi

....

Petitioner

Mr. Manoranjan Padhy, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Mohanty, Additional Standing Counsel

CORAM:

SHRI JUSTICE B. P. ROUTRAY

ORDER

5.5.2022

Order No.

- 01.
1. Heard Mr. M. Padhy, learned counsel for the Petitioner and Mr. P.K. Mohanty, learned Additional Standing Counsel.
 2. This is an application under Section 439 Cr.P.C. for grant of bail to the Petitioner Milikshya Tandi in connection with Kesinga P.S. Case No.257 of 2019 corresponding to C.T. Case No.29 of 2019 pending in the court of learned Special Judge, Kalahandi, Bhawanipatna for alleged commission of offence under Section 20(b)(ii)(c)/25/29 of N.D.P.S. Act for alleged possession of contraband ganja weighing about 208 kg. 712 grams.
 3. It is submitted on behalf of the Petitioner that he is inside custody since 20th September, 2019 and despite earlier direction of this Court dated 22nd November, 2021 passed in BLAPL No.7874 of 2021 to complete the trial expeditiously, the trial could not be commenced till date.

4. Upon hearing Mr. Mohanty, learned Additional Standing Counsel for State and keeping in view the total quantity of contraband ganja and the embargo contained under Section 37(1)(b) of NDPS Act, I am not inclined to release the Petitioner on bail. Accordingly, his prayer for bail is rejected.

5. However, considering the long detention of the Petitioner inside custody and the fact that the trial has not commenced yet, it is directed to release the Petitioner on interim bail for a period of three months from the date of his release on such terms and conditions as may be deemed just and proper by the learned court in seisin over the matter including the conditions that the Petitioner shall furnish two sureties each (with proper identity proof) out of whom one shall be his relative and that, he shall not be involved in any other offence while on bail.

6. It is made clear that the Petitioner shall surrender on or before 10th August, 2022, failing which learned court below shall take all appropriate steps including issuance of NBW of Arrest to apprehend the Petitioner.

7. The BLAPL is accordingly disposed of.

8. An urgent certified copy of this order be issued as per rules.

(B.P. Routray)
Judge