

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3196 of 2022

Himanshu Sekhar Meher ***Petitioner***

-versus-

State of Odisha ***Opposite Party***

CORAM: JUSTICE S.PUJAHARI

ORDER
29.07.2022

Order No.

02. 1. This matter is taken up through Hybrid mode.
2. This is an application under Section 439 Cr.P.C. filed by the Petitioner for bail in connection with Rairakhol P.S. Case No.190 of 2019, corresponding to T.R.Case No.48 of 2018, pending in the file of learned Addl. Sessions Judge-cum-Judge (Special Court), Rairakhol, for commission of alleged offence under Section 20(b)(ii)C of N.D.P.S. Act.
3. Earlier the bail applications of the Petitioner were rejected by this Court. It is stated by learned counsel for the Petitioner that though Petitioner has been implicated under Section 20(b)(ii)C of N.D.P.S. Act, but in the meantime Petitioner has been released on interim bail. However, this Court on earlier occasion refused bail to the Petitioner in view of the mandate of limitation that contained Section 37(1)(b) of N.D.P.S. Act taking such fact into consideration though this

Court has granted interim bail for a period of three months from the date of his release. No doubt, the present Petitioner has surrendered before the court after expiry of the period of interim bail. However, again interim bail is sought for. Since this Court had earlier rejected the bail application of the Petitioner taking note of limitation to grant bail as envisaged under Section 37(1)(b) of N.D.P.S. Act. As such, by grant of interim bail on regular intervals, this Court does not want to render the mandate of limitation an otiose.

4. BLAPL is accordingly dismissed.

(S. Pujahari)
Judge

Uks

