

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3357 of 2022

Sk. Asif @ Baun

....

Petitioner

Mr. Devashis Panda, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. Arupananda Das,

Addl. Government Advocate

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

**ORDER
26.08.2022**

Order No.

04.

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 Khurda Sadar P.S. Case No.163 of 2020 corresponding to T.R. Case No.46 of 2020 pending in the Court of learned 2nd Additional Sessions Judge, Khurda for offence punishable under section 21(c) of the N.D.P.S. Act.

The petitioner moved an application for bail before the Court of learned 2nd Additional Sessions Judge, Khurda which was rejected on 21.03.2022.

Learned counsel for the petitioner submitted

that the petitioner was taken into judicial custody on 27.09.2020 and when he approached this Court last time for bail in BLAPL No.7630 of 2020, the same was disposed of as per order dated 31.03.2021 and the petitioner was given liberty to renew the prayer for bail after examination of the material witnesses in the trial Court.

Status report submitted by the learned trial Court dated 21.07.2022 indicates 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 period of detention of the petitioner in judicial custody and the progress of the trial so far as per the status report, 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 as the learned Court may deem just and

proper subject to conditions that while on interim bail, the petitioner shall not indulge in any criminal activities in any manner and he shall appear before the learned trial Court on each date to which the case would be posted for trial.

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



RKM