

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3690 of 2022

Vickey Biswas

....

Petitioner

Mr. P.K. Sahoo, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr. Rajesh Tripathy,
Addl. Standing Counsel*

CORAM:

JUSTICE S.K. SAHOO

Order No.

ORDER

15.07.2022

02. This matter is taken up through Hybrid arrangement (video conferencing/physical Mode).

Heard learned counsel for the petitioner and the learned counsel for the State.

This is an application under section 439 of Cr.P.C. for grant of bail to the petitioner in connection with Umerkote P.S. Case No. 18 of 2020 corresponding to T.R. Case No. 06 of 2020 pending in the Court of learned Addl. Sessions Judge, Umerkote, Nabarangpur for offences punishable under section 20(b)(i) of N.D.P.S. Act.

The bail application of the petitioner was rejected by the learned Addl. Sessions Judge, Umerkote as per order dated 08.04.2022.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 17.01.2020. The first bail application of the petitioner in BLAPL No.2425 of 2020 was rejected as per the order dated 11.01.2021 and the second bail application of the petitioner in BLAPL No.9601 of 2021 was disposed of as per order dated 25.02.2021 and direction was given to the learned trial Court to expedite the trial and the petitioner was given liberty to renew the prayer for bail after examination of the material witnesses. It appears that within two months of the rejection order, the petitioner has again approached this Court.

Status report was called for as per order dated 30.06.2022 and the learned trial Court has furnished the same, from which it appears that out of twenty charge sheet witnesses, only two witnesses have been examined.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner and the materials available on record and the bar under section 37 of the N.D.P.S. Act, I am not inclined to release the petitioner on anticipatory bail.

Accordingly, the ABLAPL stands dismissed.

The learned trial Court shall do well to conclude the trial by the end of December 2022.

The petitioner is at liberty to renew the prayer for bail, if the trial is not concluded within the aforesaid period.

Urgent certified copy of this order be granted on proper application.

(S.K. Sahoo)
Judge

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