

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3899 of 2022

Harihara Khara

....

Petitioner

Mr. D.K. Rath, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
05.09.2022

Order No.

02.

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 T.R. Case No.78 of 2020 pending in the file of learned Additional Sessions Judge-cum-Special Judge, Koraput at Jeypore arising out of Baipariguda P.S. Case No.121 of 2020, offence under Sections 20(b) II (C) of the NDPS Act, 1985 and is in custody since 20.10.2020.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge-Spl. Judge, Jeypore by order dated 30.03.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. Relying on the statement of independent witnesses examined as P.W.1 and 2 who resiled from their statement, it is

submitted by the learned counsel for the petitioner that there are no other cogent materials to connect the petitioner with the alleged offence.

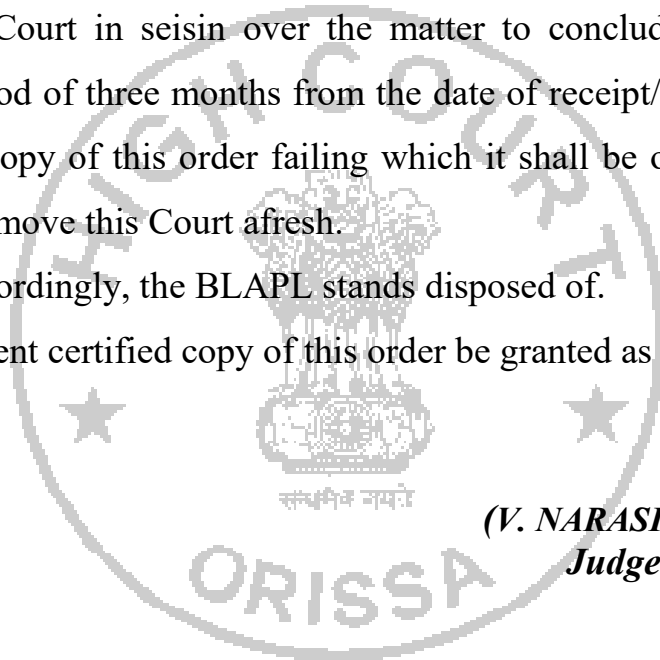
7. Learned counsel for State opposes the prayer for bail during trial.

8. Perused the nature of accusation vis-à-vis the petitioner and this Court is **not inclined** to entertain this bail application when trial has commenced.

9. Keeping in view period of custody this Court calls upon the learned Court in seisin over the matter to conclude the trial within a period of three months from the date of receipt/production of certified copy of this order failing which it shall be open to the petitioner to move this Court afresh.

10. Accordingly, the BLAPL stands disposed of.

11. Urgent certified copy of this order be granted as per rule.



(V. NARASINGH)
Judge

Santoshi