

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4246 of 2022

Rinku Barik

....

Petitioner

Mr. B.R. Tripathy, Advocate

- Versus -

State of Odisha

....

Opposite Party

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

24.09.2022

Order No.
02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Addl. Standing Counsel for the State.
3. The petitioner is in custody since 08.05.2022 in connection with Kanamal P.S. Case No.132 of 2019 corresponding to Spl. Case (NDPS) No. 92 of 2019 pending in the Court of learned Addl. Sessions Judge-cum-Special Judge, Kantamal for the alleged commission of offence under Section 20(b)(ii)(C) of NDPS Act.
4. It is alleged that on getting reliable information, a raid was conducted by police in a jungle, where it was found that huge quantity of contraband ganja weighing 171 Kg was kept by some unknown persons at a place. At a little distance therefrom five persons including the present petitioner were present and discussing. On seeing the police, all of them ran away. Though it is submitted that the contraband was not seized from the exclusive and conscious possession of the petitioner, the same is not acceptable for the reason that the distance between the bags of ganja and the group of persons is a matter to be ascertained during trial. It is alternatively submitted by Mr. Tripathy that the petitioner has a small child, who needs immediate medical attention for his ailment.
5. Therefore, while not being inclined to grant regular bail to the

petitioner, the bail application is disposed of directing the learned court below to release the petitioner on interim bail for a period of four months from the date of his actual release on such terms and conditions as he may deem fit and proper to impose including the condition that the petitioner shall appear on each date of posting of the case before the court below. He is further directed to make all efforts to expedite the trial and to conclude the same as early as possible preferably within a period of six months.

6. Liberty is granted to the petitioner to renew his prayer for regular bail, if trial is not concluded within the aforesaid period.
7. BLAPL is accordingly disposed of.
8. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

