

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4261 of 2022

Jadumani Pradhan* *Petitioner

Mr. A. Das, Advocate

-versus-

State of Odisha* *Opp. Party

*Mrs. Susamarani Sahoo,
Addl. Standing Counsel*

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

**ORDER
02.09.2022**

Order No.

02. 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 Khandapada P.S. Case No.226 of 2020 corresponding to T.R. Case No.32 of 2021 pending in the Court of learned Additional Sessions Judge, Nayagarh for offences punishable under sections 20(b)(ii)(C)/25/29 of the N.D.P.S. Act.

The petitioner moved an application for bail before the Court of learned Additional Sessions Judge, Nayagarh which was rejected on 06.05.2022.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since

04.09.2020 and his earlier bail application in BLAPL No.556 of 2021 was rejected as per order dated 27.09.2021 and direction was given to the learned trial Court to expedite the trial and to make every endeavour to conclude the same within a period of six months from the date of receipt of the order and the petitioner was given liberty to renew the prayer for bail, if the trial is not concluded within the said period. Learned counsel further submitted that there is no progress in the trial so far.

Status report submitted by the learned trial Court dated 29.07.2022 also indicates that no witness has been examined till date even though the charge was framed on 22.04.2021.

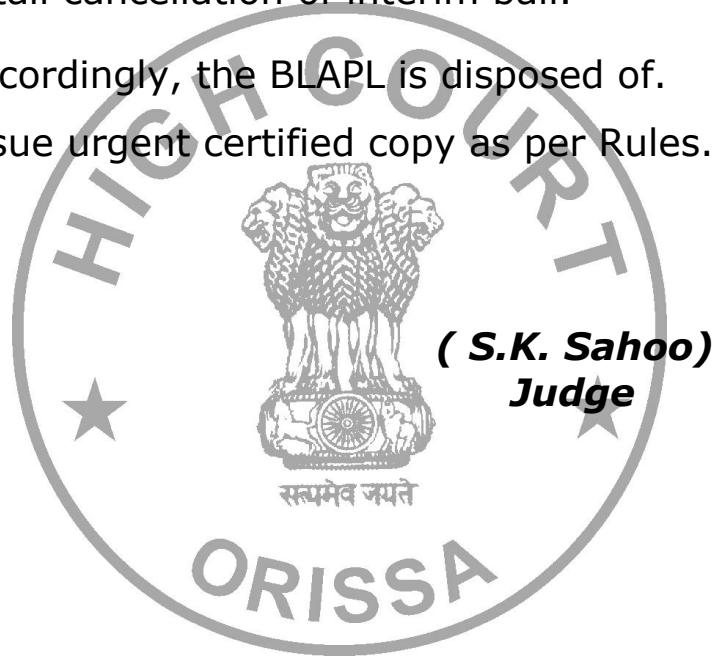
Considering the submissions made by the learned counsel for the respective parties, the fact that the earlier order passed by this Court has not been complied with and taking into account the period of detention of the petitioner in judicial custody, I am inclined to release the petitioner on interim 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.



RKM