

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4341 of 2022

Biranchi Nayak

....

Petitioner

Mr. N.K. Lenka, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. Rajesh Tripathy,

Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

29.07.2022

Order No.

01.

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

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

This is an application for bail under section 439 of Cr.P.C. in connection with 2(a) CC No.05 of 2021 arising out of E.I. & E.B. Unit-II, Cuttack Case No.135 of 2021 pending in the Court of learned Sessions Judge -cum- Special Judge, Cuttack for alleged commission of offences under section 20(b)(ii)(C) of the NDPS Act, 1985.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 29.01.2021 and while rejecting the earlier bail application of the petitioner in BLAPL No.3249 of 2021 as per order

dated 23.11.2021, direction was given to complete the trial within a stipulated period but the same has not been complied with and therefore, the bail application of the petitioner may be favourably considered.

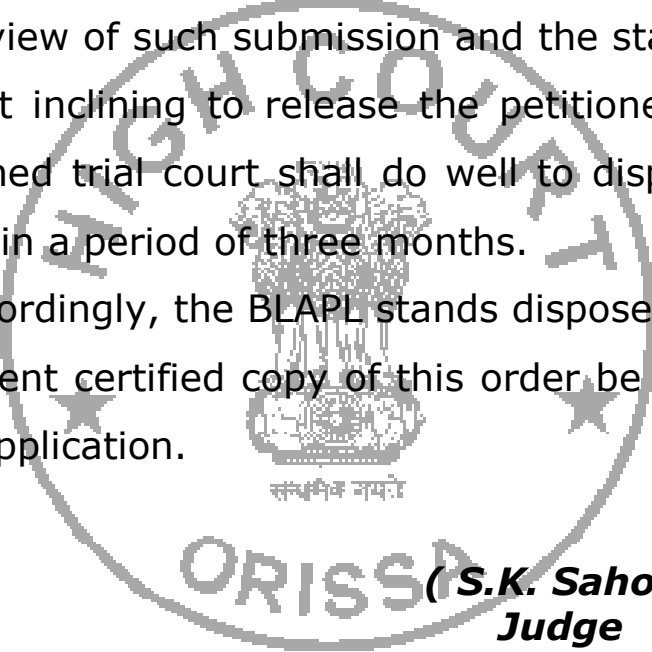
From the rejection order, it appears that the case was posted to 20.05.2022 for defence evidence.

Learned counsel for the petitioner submitted that the defence evidence has already been recorded and the matter is now posted for argument.

In view of such submission and the stage of trial, while not inclining to release the petitioner on bail, the learned trial court shall do well to dispose of the trial within a period of three months.

Accordingly, the BLAPL stands disposed of.

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

The seal of the Orissa High Court is a circular emblem. It features the Ashoka Lion Capital in the center, with the motto 'सत्यमेव जयते' (Satyameva Jayate) in Devanagari script below it. The words 'HIGH COURT' are written in an arc at the top, and 'ORISSA' is written in an arc at the bottom. Two stars are positioned on either side of the central emblem.
(S.K. Sahoo)
Judge