

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3755 of 2021

Rabindra Kumar Dey* *Petitioner

*Mr. Dharanidhar Nayak, Senior
Advocate*

-versus-

State of Odisha* *Opp. Party

*Mr. A. Das,
Addl. Government Advocate*

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

**ORDER
29.07.2022**

Order No.

13. 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 G.R. Case No.102 of 2020 arising out of Rasgovindpur P.S. Case No.222 of 2020 pending in the Court of learned Sessions Judge -cum- Special Judge, Baripada, Mayurbhanj for offences punishable under sections 20(b)(ii)(C)/25/29 of the N.D.P.S. Act.

Learned counsel for the petitioner submitted that the petitioner was taken into judicial custody in connection with this case on 08.11.2020 and he was granted interim bail twice in I.A. No.755 of 2021 on

27.08.2021 and in I.A. No.1163 of 2021 on 07.12.2021 and after availing the interim bail period, he has surrendered at right time. He further submitted that some of the co-accused persons have been granted bail by this Court and the petitioner is similarly situated like that of the co-accused person and in view of the conduct of the petitioner in complying with the earlier interim bail order, the petitioner may be granted interim bail for some period.

Status report was called for as per order dated 20.05.2022 and the learned trial Court has furnished the same vide letter dated 02.06.2022 from which it appears that out of twenty four charge sheet witnesses, only nine witnesses have been examined.

Learned counsel for the State opposed the prayer for bail.

Considering the submissions made by the learned counsel for the respective parties, the period of detention of the petitioner in judicial custody and the conduct of the petitioner in complying with the terms of the earlier interim bail orders, at this stage, while not inclining to release the petitioner on bail on merit, 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 that while on interim bail, the petitioner shall not try to come in contact with any of the prosecution witnesses or tamper with the evidence, he shall not indulge in any criminal activities and he shall appear before the learned trial Court on each date on which the date would be fixed for trial during the period of interim bail. The Inspector in-charge of Rasgovindpur police station shall keep a close vigil over the activities of the petitioner during the interim bail period.

Violation of any terms and conditions shall entail cancellation of interim bail.

Accordingly, the BLAPL is disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge