

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.4860 of 2022

N. Santosh Kumar Choudhury ***Petitioner***

Mr. B.C. Ghadei, Advocate

-versus-

State of Odisha ***Opposite Party***

Mr. S.S. Kanungo, Additional Government Advocate

CORAM:
SHRI JUSTICE B. P. ROUTRAY

ORDER
13.7.2022

Order No.

01. 1. The matter is taken up through hybrid mode.
2. Heard Mr. B.C. Ghadei, learned counsel for the Petitioner and Mr. S.S. Kanungo, learned Additional Government Advocate.
3. This is an application under Section 439 Cr.P.C. for grant of bail to the Petitioner N. Santosh Kumar Choudhury in connection with Semiliguda P.S. Case No.85 of 2019, corresponding to T.R. Case No.35 of 2019 pending in the court of learned Additional Sessions Judge-cum-Special Judge, Koraput for alleged commission of offence under Section 20(b)(ii)(C)/29 of the N.D.P.S. Act for alleged possession of contraband weighting about 344 Kg. 800 grams.
4. It is submitted on behalf of the Petitioner that he is inside custody since 24th November, 2019 and till date only 5 witnesses have been examined and the trial is yet to complete.
5. Upon hearing Mr. Kanungo, learned Additional Government Advocate for State and keeping in view the total quantity of

contraband and the embargo contained under Section 37(1)(b) of the NDPS Act, I am not inclined to release the Petitioner on bail. Accordingly, his prayer for bail is rejected.

6. However, considering the long detention of the Petitioner inside custody and slow progress of trial, it is directed to release the Petitioner on interim bail for a period of three months from the date of his release on such terms and conditions as may be deemed just and proper by the learned court in seisin over the matter including the conditions that the Petitioner shall furnish two sureties (with proper identity proof) out of whom one shall be his relative and that, he shall not be involved in any other offence while on bail.

7. It is made clear that the Petitioner shall surrender on or before 18th October, 2022, failing which learned court below shall take all appropriate steps including issuance of NBW of Arrest to apprehend the Petitioner.

8. The BLAPL is accordingly disposed of.

9. An urgent certified copy of this order be issued as per rules.

(B.P. Routray)
Judge