

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No.3888 of 2021**

***Budu Patika***

....

***Petitioner***

Mr. D.D. Nayak, Sr. Advocate

*-versus-*

***State of Odisha***

....

***Opposite Party***

Mr. B. Panigrahi, Additional Standing Counsel

**CORAM:**

**SHRI JUSTICE B. P. ROUTRAY**

**ORDER**

**26.8.2022**

**Order No.**

- 05.
1. The matter is taken up through hybrid mode.
  2. Heard Mr. D.D. Nayak, learned senior counsel for the Petitioner and Mr. B. Panigrahi, learned Additional Standing Counsel.
  3. This is an application under Section 439 Cr.P.C. for grant of bail to the Petitioner Budu Patika in connection with Gudari P.S. Case No.78 of 2019 corresponding to T.R. Case No.1 of 2019 pending in the court of learned Additional Sessions Judge-cum-Special Judge, Gunupur for alleged commission of offence under Section 20(b)(ii)(C) of the N.D.P.S. Act for alleged possession of contraband ganja weighing about 224 kg. 350 grams.
  4. It is submitted on behalf of the Petitioner that she is inside custody since 13<sup>th</sup> October, 2019 and trial is yet to complete.
  5. Upon hearing Mr. Panigrahi, learned Additional Standing Counsel for State and keeping in view the total quantity of contraband ganja which attracts commercial quantity 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 period of detention of the Petitioner inside custody and delay in completion of trial, it is directed to release the Petitioner on interim bail for a period of three months from the date of her 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, she shall not be involved in any other offence while on bail.

7. It is made clear that the Petitioner shall surrender on or before 30<sup>th</sup> November, 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**