

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5027 of 2022

Ananda Naik

....

Petitioner

Mr. Sitikant Mishra, Advocate

-versus-

State of Odisha

....

Opp.Party

Mr. Arupananda Das

Addl. Government Advocate

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

**ORDER
21.12.2022**

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 Tarva P.S. Case No.147 of 2014 corresponding to Special G.R. Case No.09 of 2014 pending in the Court of learned Sessions Judge -cum- Special Judge, Sonapur for offence punishable under section 20(b)(ii)(C) of the N.D.P.S. Act.

The petitioner moved an application for bail before the Court of learned Special Judge, Sonapur which was

rejected on 05.04.2022.

Learned counsel for the petitioner submitted that the petitioner was taken into judicial custody in connection with this case on 16.12.2014 and he was granted interim bail thrice and last time after availing the interim bail period, he surrendered on 05.03.2022.

It appears from the status report dated 09.12.2022 furnished by the learned trial Court that four seizure witnesses are yet to be examined and the case is also posted for further cross-examination of the Investigating Officer.

Considering the submissions made by the learned counsel for the respective parties, the period of detention of the petitioner in judicial custody, the conduct of the petitioner in complying with the earlier orders of interim bail granted by this Court and inordinate delay in disposal of the trial, 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

