

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5068 of 2022

Anil Patnaik

....

Petitioner

Mr. A.R. Panda, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. Arupananda Das,
Addl. Government Advocate

CORAM:

JUSTICE S.K. SAHOO

Order No.

ORDER

15.07.2022

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 T.R. Case No.30 of 2020 arising out of Jeypore Sadar P.S. Case No.109 of 2020 pending in the Court of learned Addl. Sessions Judge -cum- Special Judge, Jeypore, for offence punishable under section 20(b)(ii)(C) of the N.D.P.S. Act.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 24.06.2020 and his earlier bail application in BLAPL No.5269 of 2020 was rejected as per order dated

01.10.2021 and direction was given to the learned trial Court to expedite the trial and conclude the same within a period of six months from the date of receipt of a copy of the order and the petitioner was granted liberty to renew his prayer for bail, if the trial is not concluded within the said period.

As per the order dated 30.06.2022, the learned trial Court has furnished the status report dated 06.07.2022 from which it reveals that out of twenty two charge sheet witnesses, only one witness has been examined so far in the learned trial Court.

Considering the submissions made by the learned counsel for the respective parties, the progress of the trial so far, while not inclining to release the petitioner on bail on merit, but taking into account the period of detention of the petitioner in judicial custody, 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.

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

BLAPL No. 5068 of 2022

03. List this matter on 28th October 2022.

Learned counsel for the petitioner shall file the surrender certificate of the petitioner by the next date.

(S.K. Sahoo)
Judge