

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4132 of 2021

Baleswar Guntia

....

Petitioner

*Mr.R.N. Mohanty, Mohanty,
Advocate*

-versus-

State of Odisha

....

Opp. Party

*Mr.J.P. Patra,
Addl. Standing Counsel*

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

**ORDER
06.05.2022**

Order No.

06. 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 Bhanjanagar P.S. Case No.583 of 2020 corresponding to Spl. G.R. Case No.37 of 2020 pending in the Court of learned Additional Sessions Judge –cum- Special Judge, Bhanjanagar 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 10.11.2020 and his earlier bail application in BLAPL No.302 of 2021 was disposed of as per order dated 15.02.2021 and direction was given to the

learned trial Court to expedite the trial and if possible to conclude the same within a period of six months from the date of receipt of the order and liberty was granted to the petitioner to renew the prayer for bail, if the trial is not concluded within the aforesaid period, but till date not a single witness has been examined and therefore, the prayer for bail may be favourably reconsidered.

Learned counsel for the State opposed the prayer for bail.

Status report was called for as per order dated 22.04.2022 and the learned trial Court has furnished the same vide letter dated 30.04.2022 from which it appears that till date not a single witness has been examined.

Considering the submissions made by the learned counsel for the respective parties, at this stage, 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 and shall appear before the Inspector in-charge of Bhanjanagar police station once in a week 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



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