

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5311 of 2022

Guru Sagaria

.... Petitioner

Mr.U.C. Dora, Advocate

-versus-

State of Odisha

.... Opp.Party

*Mr.Arupananda Das,
Addl. Government Advocate*

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

**ORDER
16.09.2022**

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 Khundra P.S. Case No. 93 of 2020 corresponding to T.R. No.76 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.

The petitioner moved an application for bail before the Court of learned Addl. Sessions Judge -cum- Special

Judge, Jeypore, which was rejected on 22.01.2022.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 05.10.2020 and his first bail application in BLAPL No.1733 of 2021 was disposed of as per order dated 30.10.2021 since the petitioner intended to move the bail application in the learned Court below.

Learned counsel for the State opposed the prayer for bail.

Status report was called for as per order dated 26.08.2022 and the learned trial Court has furnished the same vide letter dated 03.09.2022 from which it appears that, not a single witness has been examined out of eight charge sheet witnesses.

Considering the submissions made by the learned counsel for the respective parties and the slow progress of trial, 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.

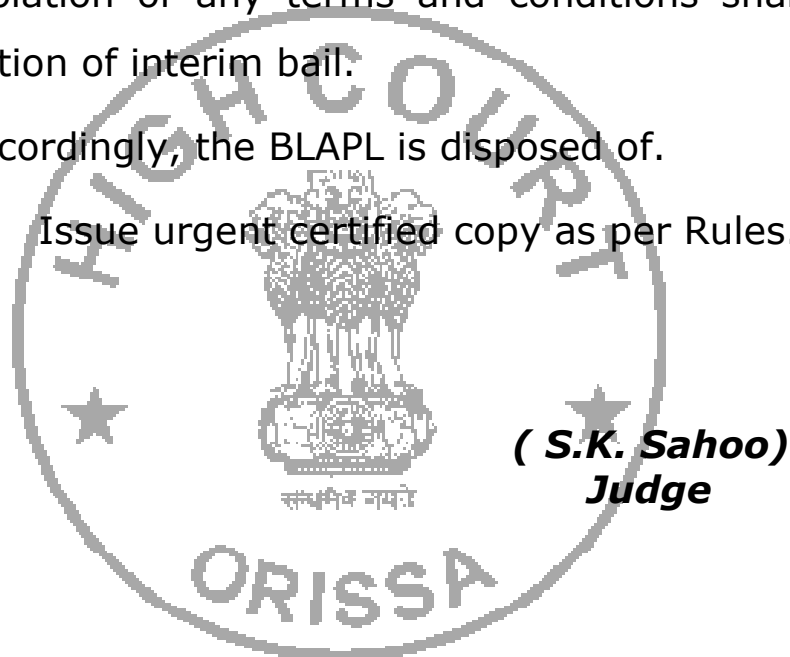
For the above period, let the petitioner be released on interim bail in the aforesaid case on furnishing bail bond of Rs.50,000/-(rupees fifty thousand) with two local

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 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

PKSahoo