

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4581 of 2021

Susanta Das

....

Petitioner

Mr.A.R. Panda, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr.Debasis Biswal,
Addl. Standing Counsel*

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

**ORDER
29.07.2022**

Order No.

03.

This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Mr. A.R. Panda, learned counsel files Vakalatnama in Court today after obtaining consent from the earlier engaged counsel. The same is taken on record.

Heard the 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. No.28 of 2020 arising out of Boipariguda P.S. Case No.85 of 2020 pending in the Court of learned Sessions Judge -cum- Special Judge, Koraput, 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 of learned Sessions Judge -cum- Special Judge, Koraput, Jeypore which was rejected on 18.03.2021.

Learned counsel for the petitioner submits that the petitioner is in judicial custody since 24.06.2020 and his earlier bail application in BLAPL No. 5179 of 2020 was rejected as per order dated 13.01.2021 and in the learned trial Court out of fifteen charge sheet witnesses, only five witnesses have been examined so far and the petitioner is a local man and there is no chance of absconding and therefore, he may be granted interim bail for some time.

Learned counsel for the State has opposed the prayer for bail.

Considering the submissions made by the learned counsel for the respective parties, the period of detention of the petitioner in judicial custody and the progress of trial so far, while not inclining to release the petitioner on bail on merit, I am inclined to release the petitioner on interim bail for a period of three months from the date of release. 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

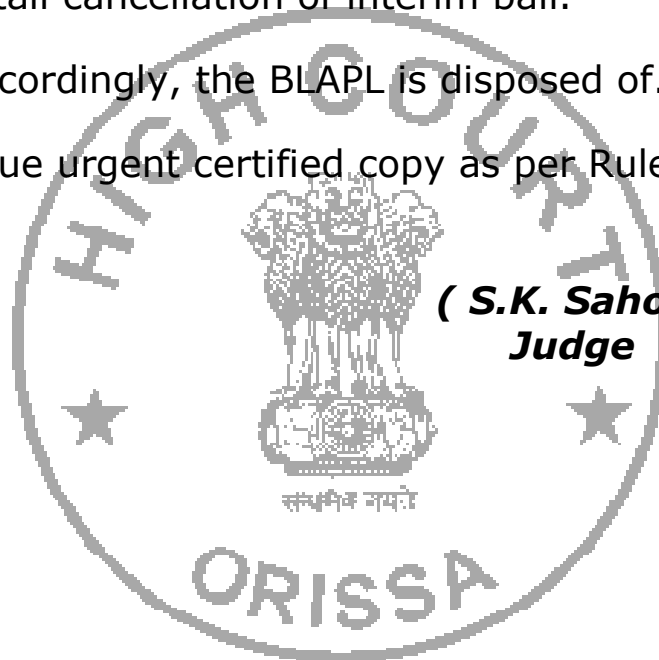
like amount to the satisfaction of the learned Court in seisin over the matter with further terms and conditions as the learned Court may deem just and proper including the conditions that while on interim bail, the petitioner shall appear before the learned trial Court on each date to which the case would be posted for trial and shall not tamper with the witnesses.

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.

(S.K. Sahoo)
Judge



PKSahoo