

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6440 of 2022

Shanti Singh

....

Petitioner

Mr. S.S. Ray (2), Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
09.09.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in G.R. Case No.56 of 2021, pending in the file of learned Special Judge-cum-Additional Sessions Judge, Paralakhemundi arising out of Adava P.S. Case No.48 of 2021, offence under Sections 20(b)(ii)(C)/25/29 of the NDPS Act.
4. Being aggrieved by the rejection of her application for bail U/s.439 Cr.P.C. by the learned Special Judge-cum-Additional Sessions Judge, Paralakhemundi, Gajapati by order dated 30.06.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner since the petitioner is a lady and charge sheet having been filed

since 13.09.2021, her further continuance in custody is not uncalled for.

6. Since trial has commenced, relying on the judgment of the Apex Court in the Case of *Hussainara Khatoon & Ors vs. State of Bihar* reported in (1980) 1 SCC 81 learned counsel for the petitioner seeks release of the petitioner.

7. Learned counsel for the State opposes the prayer for bail inter alia relying on the bar contained under Section 37 of the NDPS Act and also in view of the fact that the petitioner is at flight risk.

8. Taking into account the submissions both the counsel, this Court is **not inclined** to entertain this bail application.

9. Taking into account that the petitioner is in custody since 30.09.2021, this Court calls upon the learned Court in seisin over the matter to conclude the trial expeditiously within a period of four months from the date of receipt/production of certified copy of this order. In the event non-conclusion of trial as aforesaid, it shall be open to the petitioner to renew her prayer.

10. Accordingly, the BLAPL stands disposed of.

11. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

Santoshi