

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.6521 of 2022

Pinkuna Mohanty

....

Petitioner

Mr. P.K. Nayak, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mrs.Susamarani Sahoo,
Addl. Standing Counsel*

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

ORDER

27.10.2022

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 Kabisurya Nagar P.S. Case No.44 of 2020 corresponding to G.R. Case No.06 of 2022(N) pending in the Court of learned Additional Sessions Judge, Kodala, Ganjam for offence punishable under sections 20(b)(ii)(C)/29 of the N.D.P.S. Act.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 03.03.2020 and his earlier bail application in BLAPL No.7646 of 2021 was rejected as per order dated 26.11.2021 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 the order and the petitioner was given liberty to renew the prayer for bail, if the trial is not concluded within the said period.

On perusal of the status report dated 13.10.2022 submitted by the learned trial Court, it appears that out of fifteen charge sheet witnesses, only two witnesses have been examined and since the co-accused persons who are on bail did not attend the trial Court and also did not take any step, N.B.W.(A) have been issued against them for which the trial is getting delayed.

Learned counsel for the State 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 slow progress of the trial, 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 as the learned Court may deem just and proper subject to conditions that while on interim bail, the petitioner shall not indulge in any criminal activities in any manner and he shall appear before the learned trial Court on each date to which the case would be posted for trial.

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



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