

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.6572 of 2022

Gopal Tarafdar

....

Petitioner

Mr. S.K. Padhi, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
17.11.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioner and the learned counsel for the State.
3. The Petitioner is an accused in Special Case No.40 of 2020 (NDPS Act) pending on the file of learned Addl. Sessions Judge-cum-Special Judge, Boudh, arising out of Boudh P.S. Case No.246 of 2020 for commission of offence under Section 20(b(ii)(c) of the N.D.P.S Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Addl. Sessions Judge-cum-Special Judge, Boudh by order dated 29.06.2022 in the aforementioned case, the present BLAPL has been filed.
5. Since the trial has already started, this Court is **not inclined** to entertain this bail application at this stage.

6. It is submitted by the learned counsel for the Petitioner that the health condition of the mother of the Petitioner is alarming for which he has in urgent need of his presence.
7. Considering the same and it is stated by the learned counsel for the Petitioner, on instruction, that 8 witnesses out of 13 witnesses have already been examined. Learned Court in seisin is called upon to expedite the trial of the aforesaid case and conclude the same within the period of two months from the date of receipt/production of the copy of this order.
8. In the event a fresh application is filed for release of the Petitioner on account of continuing ill health of his mother, the same shall be considered on its own merit without being influenced by the earlier rejection or the order passed by this Court.
9. Registry is requested to communicate this order to the learned Court in seisin over the matter.
10. With the aforesaid order, this BLAPL stands disposed of.
11. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

PKS