

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6796 of 2022

Palasti Jagadala

....

Petitioner

Mr. S. Dash

-Versus -

State of Odisha

....

Opp.Party

Mr. P. Tripathy, ASC

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

18.11.2022

Order No.

03

1. This matter is taken up through hybrid mode.
2. As directed, learned Sessions Judge, Deogarh has submitted a report stating that the case is pending for consideration of charge since 09.02.2022 as the Chemical Examination report has not yet been received from S.F.S.L., Rasulgarh. The Special Public Prosecutor has been requested to take effective steps in this regard.
3. It is a case of the year 2021. The petitioner is in custody since 12.10.2021, i.e., more than a year. His bail application was earlier rejected considering the quantity of contraband ganja. However, this does not mean that he can be indefinitely incarcerated that too for the delay caused by the prosecution in complying with all statutory requirements.
4. Considering the above circumstances, the bail application is disposed of directing learned court below to release the petitioner on interim bail for a period of four months from the date of his actual release on such terms and conditions as he may deem fit and proper to impose.

5. BLAPL is accordingly disposed of.
6. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

