

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7006 of 2022

Sanjib Khatua

Petitioner
....
Mr. Mahes Das, Advocate

-versus-

State of Odisha

Opposite Party
....
Mr. Samaresh Jena, ASC

CORAM:
MR. JUSTICE D.DASH

ORDER
13.12.2022

Order No.

01. 1. This matter is taken up through hybrid arrangement (physical/virtual) mode.
2. This the successive journey of the Petitioner, who is in custody in connection with Balliguda P.S. Case No.111 of 2020 corresponding to C.T. Case No.24 of 2020 on the file of the learned Special Judge-cum-Additional Sessions Judge, Balliguda running for alleged commission of offence under sections 20(b)(ii)(C)/25/29 of the N.D.P.S. Act in filing the petition under section 439, Cr.P.C. for his release on bail.
3. Learned counsel for the petitioner at the outset instead of pressing for reconsideration of the prayer for grant of regular bail to the Petitioner, confines his submission for grant of interim bail to the Petitioner and prays for disposal of this bail application accordingly. He submits that the Petitioner being arrested in the case is in custody since 08.06.2020 and despite long detention of the Petitioner for about two years and six months, the trial is yet to conclude. It is submitted that for the above, not only that the Petitioner is suffering but also his

family members are facing great hardship and they are not in a position to continue further without the help of this Petitioner on whom they all depend. In view of the above, he urges for grant of interim bail to this Petitioner for a period of four months.

4. Learned counsel for the State opposes the move in view of the quantity of contraband involved in this case.

5. Considering the submissions made and further keeping in view the surrounding circumstances, it is directed that the petitioner be released on interim bail in the aforesaid case for a period of two months from the date of his actual release from custody on such terms and conditions as deemed just and proper by the court in seisin of the case with further conditions that he will appear in person before the trial court on the date fixed during the period; will appear before the concerned Inspector-in-Charge on every Monday in between 10 A.M. to 2 P.M. during the period of interim bail and will surrender before the said court after expiry of the period of interim bail without fail.

6. The BLAPL is accordingly disposed of.

Issue urgent certified copy as per rules.

(D. Dash)
Judge