

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7348 of 2022

***Titola @ Titola @ Namaratna
Kanhar***

....

Petitioner

Mr. S.K. Bhanjadeo, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.Samaresh Jena, ASC

CORAM:

MR. JUSTICE D.DASH

ORDER

12.12.2022

Order No.

01. 1. This matter is taken up through hybrid arrangement (physical/virtual) mode.
2. This the second journey of the Petitioner, who is in custody in connection with STF Bhubaneswar P.S. Case No.04 of 2019 corresponding to C.T. Case No.16 of 2019 vide T.R. Case No.04 of 2021 on the file of the learned Sessions Judge-cum-Special Judge, Kandhamal, Phulbani running for alleged commission of offence under sections 20(b)(ii)(C) 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 03.04.2019 and despite long detention of the Petitioner for about three years and eight

months, the trial has not yet reached its midway. 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.

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 ten weeks 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