

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.6526 of 2021

Susanta Kumar Digal* *Petitioner

*Mr.S. Mishra, Mohanty,
Advocate*

-versus-

State of Odisha* *Opp. Party

*Mr.J.P. Patra,
Addl. Standing Counsel*

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

**ORDER
06.05.2022**

Order No.

04. 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 G.R. Case No.01 of 2019(N) arising out of Gangpur P.S. Case No.21 of 2019 pending in the Court of learned Additional Sessions Judge –cum- Special Judge, Aska, Ganjam for offences punishable under sections 20(b)(ii)(C)/29 of the N.D.P.S. Act.

The petitioner moved an application for bail before the Court of learned Additional Sessions Judge -cum- Special Judge, Aska, which was rejected on 09.07.2021.

Learned counsel for the petitioner submitted that the

petitioner is in judicial custody since 11.02.2019 and when he approached this Court last time in BLAPL No.7726 of 2019, as per order dated 22.01.2021, while not inclining to release the petitioner on bail, direction was issued to the learned trial Court to expedite the trial and if possible, to conclude the same within a period of six months from the date of receipt of the order. It is further submitted that till date, there is no progress in the trial and therefore, the prayer for bail may be favourably considered.

As per order dated 22.04.2022, the learned trial Court has submitted the status report from which it appears that no witnesses has been examined till date. However, sincere steps are being taken to procure the attendance of the witnesses. Now the case is posted to 11.05.2022 for trial.

Learned counsel for the State opposed the prayer for bail.

Considering the submissions made by the learned counsel for the respective parties, the slow progress of trial, at this stage, while not inclining to release the petitioner on bail on merit, but taking into account the period of detention of the petitioner in judicial custody, 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.

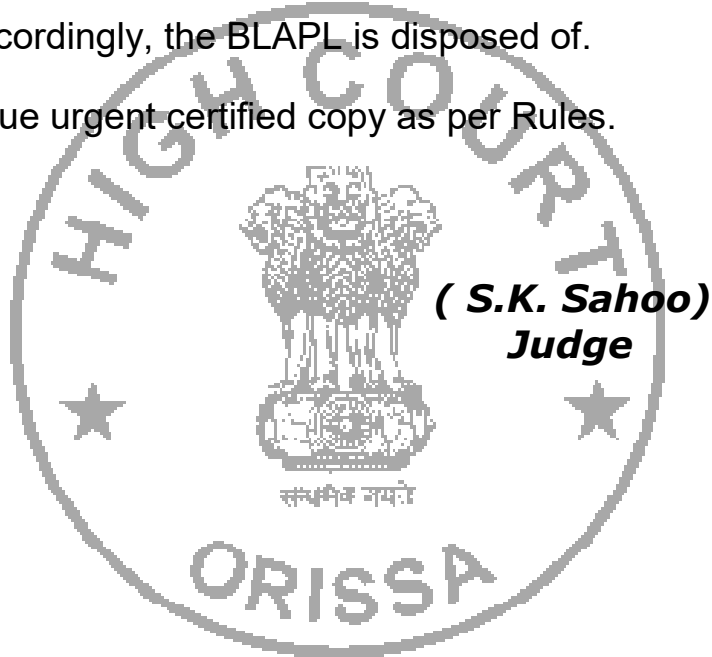
For the above period, let the petitioner be released on interim bail in the aforesaid case on furnishing bail bond of Rs.50,000/-(rupees fifty thousand) with two local solvent sureties each for the like amount to the satisfaction of the

learned Court in seisin over the matter with further terms and conditions that while on interim bail, the petitioner shall not try to come in contact with any of the prosecution witnesses or tamper with the evidence, he shall not indulge in any criminal activities and he shall appear before the learned trial Court on each date on which the date would be fixed for trial and shall appear before the Inspector in-charge of Gangpur police station once in a week during the interim bail period.

Violation of any terms and conditions shall entail cancellation of interim bail.

Accordingly, the BLAPL is disposed of.

Issue urgent certified copy as per Rules.



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