

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7620 of 2022

Dilip Ray

....

Petitioner

Mr. S.S. Ray-2, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr. Arupananda Das,
Addl. Government Advocate*

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

**ORDER
08.12.2022**

Order No.

05. 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 Pottangi P.S. Case No.106 of 2019 corresponding to T.R. Case No.33 of 2019 pending in the Court of learned Additional Sessions Judge -cum- Special Judge, Koraput for offence punishable under section 20(b)(ii)(C) 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, Koraput which was rejected on 18.07.2022.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 14.11.2019 and in the trial Court, out of twelve charge sheet witnesses, only three witnesses have been examined and in view of the delay in disposal of the trial, the petitioner may be granted interim bail for some period.

Learned counsel for the State has verified as per the order of this Court about the correctness of the address furnished by the petitioner in the cause title of the bail application so also the fact that two local sureties, namely, Somanath Harijan and Hari Harijan are genuine and their identities are correct and they are willing to stand as sureties for the petitioner, if the petitioner is granted bail.

Perused the status report dated 06.12.2022 submitted by the learned trial Court from which it also reveals that out of twelve charge sheet witnesses, three witnesses have been examined.

Learned counsel for the State has no serious objection so far as the interim bail of the petitioner is concerned.

Considering the submissions made by the learned counsel for the respective parties, the period of detention of the petitioner in judicial custody and the slow progress

of the trial, 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, namely, Somanath Harijan and Hari Harijan for the like amount to the satisfaction of the learned Court in seisin over the matter with further terms and conditions as the learned Court may deem just and proper subject to conditions that while on interim bail, the petitioner shall not indulge in any criminal activities in any manner and he shall appear before the learned trial Court on each date to which the case would be posted for trial.

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

Accordingly, the BLAPL is disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge