

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8245 of 2022

Pyarimohan Mahanand @ Petitioner
Dilip Bhorasagar

Mr. Sohardda Suman, Advocate

-versus-

State of Odisha Opp. Party

Mr. Arupananda Das
Addl. Government Advocate

CORAM:
JUSTICE S.K. SAHOO

ORDER
21.10.2022

Order No.

02. 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 Sambalpur P.S. Case No.24 of 2020 corresponding to T.R. Case No.03 of 2020 pending in the Court of learned Sessions Judge -cum- Special Court, Sambalpur 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 Sessions Judge -cum- Judge

(Special Court), Sambalpur which was rejected on 29.03.2022.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 03.02.2020 and his earlier bail application in BLAPL No.3689 of 2022 was disposed of as withdrawn as per order dated 05.08.2022. He further submitted that the petitioner is a local man and there is no chance of absconding and therefore, he may be granted interim bail for some period.

On perusal of the status report dated 12.10.2022 submitted by the learned trial Court, it indicates that out of twenty four charge sheet witnesses, only six 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 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.



RKM