

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7370 of 2021

Gegu Mallick **Petitioner**

Mr. A.R. Panda, Advocate

-versus-

State of Odisha **Opp. Party**

Mr. Arupananda Das,
Addl. Government Advocate

CORAM:

JUSTICE S.K. SAHOO

Order No.

ORDER

08.04.2022

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 for bail under section 439 of Cr.P.C. in connection with Daringbadi P.S. Case No.40 of 2020 corresponding to C.T. Case No.10 of 2020 pending in the Court of learned Additional Sessions Judge -cum- Special Judge, Balliguda for alleged commission of offences under sections 20(b)(ii)(C)/25/29 of the N.D.P.S. Act.

The petitioner moved an application for bail before the Court of learned Special Judge -cum-

Additional Sessions Judge, Balliguda, which was rejected on 13.08.2021.

Learned counsel for the petitioner submitted that the petitioner was taken into judicial custody since 17.03.2020 and while rejecting the last bail application of the petitioner in BLAPL No.3757 of 2020 as per order dated 02.02.2021, learned trial Court was directed to expedite the trial and conclude the same within a period of six months from the date of receipt of the order and liberty was granted to the petitioner to renew the prayer for bail, if the trial is not concluded within the aforesaid period.

Perused the status report dated 31.03.2022 submitted by the learned Special Judge -cum- Additional Sessions Judge, Balliguda in BLAPL No.7369 of 2021, which indicates that out of twenty charge sheet witnesses, only one witness has been examined.

Considering the submissions made by the learned counsel for the respective parties, the period of detention of the petitioner in judicial custody and the progress of trial so far, while not inclining to release the petitioner on bail on merit, I am inclined to release the petitioner on interim bail for a period of three months from the date of release. 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 and with further conditions that while on interim bail, the petitioner shall not try to come in contact with 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 to which the case would be posted for trial during the interim bail period.

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