

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8118 of 2021

Rahul Kumar Pandey

....

Petitioner

Mr. B.R. Tripathy, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

28.02.2022

Order No.

02.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned counsel for the State. Perused the F.I.R., Case Diary and other relevant documents.
3. This is an application under Section 439 of the Criminal Procedure Code.
4. The Petitioner is an accused in T.R. No.23 of 2021 arising out of Kashipur P.S. Case No.93 of 2021 pending in the court of learned District and Sessions Judge-cum-Special Judge, Rayagada for commission of offence punishable under Sections 20(b)(ii)(C)/29 of the N.D.P.S. Act.
5. Learned counsel for the Petitioner seeks permission to withdraw the present bail application with liberty to move a fresh bail application before the court below in the event the trial is not concluded within a stipulated time.

6. Learned counsel for the Petitioner further submits that Petitioner is in custody since 04.09.2021.

7. Considering the submissions and the materials available on record, the Petitioner is permitted to withdraw the bail application and the same is accordingly disposed of as withdrawn.

8. However, learned trial court shall make endeavour to dispose of the case as expeditiously as possible preferably within a period of four months from today.

9. It is further directed that in the event the trial court fails to conclude the trial within the aforesaid period of time, the Petitioner is given liberty to file a fresh bail application.

10. With the aforesaid observation, the bail application stands disposed of.

11. Urgent certified copy of this order be granted on proper application.

Jagabandhu

