

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8187 of 2021

Pramod Kumar Gouda

....

Petitioner

Mr. R. Pattanaik, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. K.K. Das, A.S.C.

CORAM:

JUSTICE B. P. ROUTRAY

ORDER

03.03.2022

Order No.

03.

1. This is an application under Sec.439 Cr.P.C. for bail and the offence alleged is under Sec.20(b)(ii)(C) of the NDPS Act for alleged possession of contraband ganja weighing 31 kg.

2. Heard Mr. R. Pattanaik, learned counsel for the Petitioner as well as Mr. K.K. Das, learned A.S.C. for the State-Opposite Party.

3. It is submitted by learned counsel for the Petitioner that despite the order of this Court dated 27.01.2021 passed in BLAPL No.1679 of 2020 for expeditious completion of trial, the same has not started yet.

4. After hearing learned A.S.C. for the State-Opposite Party, I am not inclined to release the Petitioner on bail keeping in view the embargo contained in Section 37(1)(b) of the NDPS Act. The prayer for bail is rejected.

5. However considering the long period of detention of the Petitioner inside custody, i.e.18.11.2019 and slow progress of trial, it is directed to release the Petitioner on interim bail for a period of three months from the date of his release in connection with Badachana P.S.P.R. No.12/2019-20 corresponding to C.T.(NDPS) Case No.14/2019 on such terms and conditions to be fixed by the learned Sessions Judge-cum-Special Judge, Jajpur as he deems just and proper including the condition that the Petitioner shall furnish two sureties out of which one shall be his relative and that, he shall not be involved in any other offence while on bail and shall attend the trial court on each date fixed.

6. It is made clear that the Petitioner shall surrender in the learned trial court on or before 20th June, 2022, failing which learned trial court shall take appropriate steps including issuance of NBW of arrest to apprehend him.

7. The BLAPL is disposed of.

8. An urgent certified copy of this order be granted on proper application.

(B.P. Routray)
Judge