

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10687 of 2019

Minaketan Kheti

....

Petitioner

Mr.B.R. Mohanty, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr.A.K.Beura,
Addl. Standing Counsel

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

**ORDER
10.01.2022**

Order No.

05. This matter is taken up through video conferencing mode.

Heard learned counsel for the petitioner and the learned counsel for the State.

This is an application for bail under section 439 of Cr.P.C. in connection with Special Case No.11 of 2016 arising out of Manamunda P.S. Case No.116 of 2015 pending in the Court of learned Addl. Sessions Judge -cum- Special Judge, Boudh for alleged commission of offence 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 Addl. Sessions Judge -cum- Special Judge, Boudh, which was rejected on

03.12.2021.

Learned counsel for the petitioner submits that the petitioner is in judicial custody since 11.08.2015 and till date out of sixteen witnesses, fourteen witnesses have been examined and therefore, in view of delayed disposal of trial, the petitioner may be granted interim bail.

As per order dated 10.12.2021 status report was called for from the learned trial Court and the learned trial Court submitted its report dated 22.12.2021 in which it was mentioned that fourteen witnesses have been examined and the date of examination of rest two witnesses i.e. the informant as well as the I.O. has been fixed to 17.01.2022 and 18.01.2022.

Learned counsel for the State opposed the prayer for bail.

In view of such state of affairs and further taking into account the period of detention of the petitioner in judicial custody since more than six years and four months, 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 including the conditions that while on interim bail, the petitioner shall not try to come in contact with the prosecution witnesses or tamper with the evidence, shall not indulge in any criminal activities and 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

PKSahoo