

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9427 of 2021

Haider Seikh

....

Petitioner

Mr.S.K.Baral, Advocate

-versus-

State of Odisha

....

Opp.Party

Mr.K.K.Das, ASC

CORAM:

JUSTICE B. P. ROUTRAY

ORDER

19.09.2022

Order No.

2.

1. The matter is taken up through Hybrid mode.
2. Heard Mr.Baral, learned counsel for the Petitioner and Mr.Das, learned Additional Standing Counsel for the State.
3. This is an application under Section 439 Cr.P.C. and the offences alleged are under Sections 20(b)(ii)(C)/29/25 of the N.D.P.S. Act for alleged possession of contraband ganja weighing 60kg.400 grams.
4. Upon hearing both parties, I am not inclined to release the Petitioner on bail keeping in view the embargo contained in Section 37(1)(b) of the N.D.P.S. Act,
5. Accordingly, the prayer for bail is rejected.
6. It is submitted that though the Petitioner is inside custody since 5th June, 2019, but trial has not yet commenced.

7. Thus considering long detention of the Petitioner inside custody and delay in commencement of the trial, it is directed to release the Petitioner on interim bail in C.T. Case No.26 of 2019 arising out of Khajuripada P.S.Case No.52 of 2019 by the learned Additional District and Sessions Judge-cum-Special Judge, Kandhamal for a period of three months from the date of his release on such terms and conditions as the learned Additional District and Sessions Judge-cum-Special Judge may deem fit and proper, including the conditions that the Petitioner shall furnish two sureties (with proper identification) out of which one shall be his relative and that, the Petitioner shall not be involved in any other offence while on interim bail and he shall attend the trial court on each date fixed.

8. It is made clear that the Petitioner shall surrender before the court below on or before 22nd December, 2022, failing which learned court below shall take all necessary steps including issuance of NBW of arrest to apprehend him.

9. The bail application is disposed of.

10. Urgent certified copy of this order be granted in course of the day.

(B.P. Routray)
Judge