

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10495 of 2022

Prasanta Digal

....

Petitioner

Mr. Mahes Das, Advocate

-Versus -

State of Odisha

....

Opposite Party

Mr. P. Tripathy,

Additional Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

06.12.2022

Order No.

01.

1. This matter is taken up through Hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is in custody since 27.07.2021. It is submitted that in the meantime the trial has begun and three prosecution witnesses have been examined including two independent witnesses, both of whom have not supported the prosecution case. Copies of the deposition of the said witnesses have been enclosed with the Bail Application.
4. Considering the fact that the seized contraband is huge being to the tune of 110 Kgs. of Ganja, I am not inclined to grant him regular bail. However, having regard to the fact that the petitioner has been in custody for more than one and half years and trial, so commenced is not likely to be concluded in the near future, I am inclined to take a lenient view by directing learned Court below to release the petitioner on interim bail for a period of four months from the date of his actual release on such terms and conditions he may deem fit and proper to impose, including the conditions that he

shall appear personally before the Trial Court on each date of posting of case and in case of even in a single default necessary orders shall be passed by the said Court to take him into custody again. Further he shall appear in person before the I.I.C of K. Nuagaon Police Station on every Sunday at 10.00 A.M till conclusion of trial and such fact shall be certified by the I.I.C. to the concerned Court once in a month.

5. Accordingly, the BLAPL is disposed of.
6. Urgent certified copy of this order be granted as per rules.

(Sashikanta Mishra)
Judge

Balaram

