

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL NO.10267 OF 2021

Niranjan Parida

....

Petitioner

Mr. A.N. Pattanayak, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.S.K. Nayak, AGA.

CORAM:

MR. JUSTICE D.DASH

ORDER

30.09.2022

I.A. NO.401 OF 2022

Order No.

05. 1. This matter is taken up through hybrid arrangement (virtual/physical) mode.
2. This is the successive journey of the Petitioner in filing this Application under section-439 of the Cr.P.C. in connection with Damanjodi P.S. Case No.15 of 2019 corresponding to T.R. Case No. 02 of 2019 pending in the Court of learned Addl. District & Sessions Judge-cum-Special Judge, Koraput running for commission of offence under sections 20(b)(ii)(C) of the NDPS Act for reconsideration of the prayer for grant of bail to the Petitioner in the above mentioned case.
3. The Petitioner has filed this application for grant of interim bail to the Petitioner for a period of two months on the ground of illness of his father so as to take his care and look after his treatment.
4. Learned Counsel for the Petitioner at the outset instead of pressing for grant of regular bail to the Petitioner, prays for disposal of this application by considering the matter relating to the grant of interim bail to the Petitioner. Referring to the medical papers furnished he submits that the father of the Petitioner being aged about 65 years is having the ailments and for that although there are other

members of the family, they being not so conversant and smart, presence of this Petitioner at home for some period so as to look after his father's treatment by arranging necessary funds is absolutely necessary. He further submits that on an earlier occasion, the Petitioner having been granted interim bail has surrendered in time and during that period, no such adverse report regarding his conduct has come to be received.

5. Learned Counsel for the State opposes the move. On the basis of the information received from the proper quarter, he submits that although the Petitioner's father is ill, yet at present there is no such immediate need of taking him to the hospital for advance treatment, when he is now also able to do his normal work and his so doing.

6. Considering the submissions made and on going through averments taken in the petition as well as the documents as placed; it is directed that the Petitioner be released on interim bail till 4th November, 2022 on such terms and conditions as deemed just and proper by the Court in seisin of the case with further conditions that he will appear in person before the Court in seisin of the case on the date/dates falling during the period of interim bail; will not leave the jurisdiction of the Court in seisin of the case without prior permission; and will surrender before the said Court on 5th November, 2022 positively.

6. The BLAPL as well as the I.A. are accordingly disposed of.
Issue urgent certified copy as per rules.

**(D. Dash),
Judge.**