

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.11639 of 2022

Sibaram Dakua

.... ***Petitioner***

Mr. Sujit Kumar Pattnaik, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr. K.K. Das, Additional Standing Counsel

CORAM:

SHRI JUSTICE B. P. ROUTRAY

ORDER
23.12.2022

Order No.

- 02.
1. The matter is taken up through hybrid mode.
 2. Heard Mr. S.K. Pattnaik, learned counsel for the Petitioner and Mr. K.K. Das, learned Additional Standing Counsel.
 3. This is an application under Section 439 Cr.P.C. for grant of bail to the Petitioner Sibaram Dakua in connection with Titilagarh P.S. Case No.02 of 2020 corresponding to Special G.R. Case No.5 of 2020 pending in the court of learned A.S.J.-cum-Special Judge, Titilagarh for alleged commission of offences under Section 20(b)(ii)(C) of N.D.P.S. Act for alleged possession of contraband ganja weighing about 30 kg. 230 grams.
 4. It is submitted on behalf of the Petitioner that he is inside custody since 13th January, 2020 and till date only seven witnesses have been examined in course of trial.
 5. Upon hearing Mr. Das, learned Additional Standing Counsel for State and keeping in view the total quantity of contraband ganja and the embargo contained under Section 37(1)(b) of NDPS Act, I am

not inclined to release the Petitioner on bail. Accordingly, his prayer for bail is rejected.

6. However considering long detention of the Petitioner inside custody 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 on such terms and conditions as may be deemed just and proper by the learned court in seisin over the matter including the conditions that the Petitioner shall furnish two sureties (with proper identity proof), out of whom one shall be his relative, and that, he shall not be involved in any other offence while on bail and shall not dissuade any witness directly or indirectly by way of inducement, threat or promise acquainted with the facts of the case from disclosing such facts before the Court or tamper with the evidence.

7. It is made clear that the Petitioner shall surrender on or before 27th March, 2023, failing which learned court below shall take all appropriate steps including issuance of NBW of Arrest to apprehend the Petitioner.

8. The BLAPL is accordingly disposed of.

9. An urgent certified copy of this order be issued as per rules.

(B.P. Routray)
Judge

M.K.Panda