

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10809 of 2021

Ranjan Kumar Dehury* *Petitioner

Mr.Milan Kanungo
Senior Advocate

-versus-

State of Odisha* *Opp. Party

*Mrs. Susamarani Sahoo,
Addl. Standing Counsel*

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

**ORDER
11.03.2022**

Order No.

02. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard Mr. Milan Kanungo, learned Senior Advocate appearing for the petitioner and learned Addl. Standing counsel for the State.

This is an application for bail under section 439 of Cr.P.C. in connection with Phiringia P.S. Case No. 24 of 2020 corresponding to C.T. No. 19 of 2020 pending in the Court of learned Sessions Judge -cum- Special Judge, Phulbani for alleged commission of offences under sections 20(b)(ii)(C), 25 and 29 of the N.D.P.S. Act.

The petitioner moved an application for bail before the Court of learned learned Sessions Judge -cum- Special Judge, Phulbani, which was rejected on 18.11.2021.

Learned counsel for the petitioner submits that the petitioner is in judicial custody since 15.03.2020 and his last bail application in BLAPL No. 4514 of 2020 was disposed of on 09.02.2021 and while rejecting the bail application, this Court directed the learned trial Court to expedite the trial and if possible to complete the same within a period of six months from the date of receipt of a copy of the petitioner and the petitioner was given liberty to renew his prayer for bail if the trial is not concluded within the said period.

On the submission made by the learned counsel for the petitioner that there is no such progress in the trial, status report was called for from the learned trial Court and the learned trial Court furnished the status report which is dated 05.02.2022 from which it appears that out of twenty three charge sheet witnesses, only five witnesses have been examined and despite all efforts, no witnesses turned up.

Considering the submissions made by the learned counsel for the respective parties, the slow progress of trial and the period of detention of the petitioner in judicial custody and the fact that there is no criminal antecedent against the petitioner as submitted by the learned counsel for the State, 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 following conditions :

- (i) While on interim bail, the petitioner shall not try to come in contact with the prosecution witnesses or tamper with the evidence;
- (ii) He shall not indulge in any criminal activities;
- (iii) He shall appear before the learned trial Court on each date to which the case would be posted for trial during the interim bail period;

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.

PKSahoo

