

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11063 of 2021

Dingar Bindhani

....

Petitioner

Mr. A.Tripathy, Advocate

-versus-

State of Odisha

....

Opp. Party

Mrs. Susamarani Sahoo

Addl. Standing Counsel

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

ORDER

12.08.2022

Order No.

03.

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

Heard learned counsel for the petitioner and learned counsel for the State.

This is an application for bail under section 439 of Cr.P.C. in connection with C.T. Case No.17 of 2019 arising out of STF Case No.05 of 2019 pending in the Court of learned Sessions Judge -cum- Special Judge, Kandhamal, Phulbani for alleged commission of offences under sections 20(b)(ii)(C)/25/29 of the N.D.P.S. Act read with section 25 of the Arms Act

Learned counsel for the petitioner submitted that the petitioner was taken into judicial custody since 21.03.2020 and his earlier bail application application in BLAPL No.4104 of 2020 was rejected as

per order dated 12.01.2021 and direction was given to the learned trial Court to expedite the trial and conclude the same within a period of six months from the date of receipt of the order.

Perused the status report dated 23.07.2022 submitted by the learned Sessions Judge, Kandhamal, Phulbani which indicates that out of eighteen charge sheet witnesses, two witnesses have been examined.

Considering the submissions made by the learned counsel for the respective parties, the period of detention of the petitioner in judicial custody and the progress of trial so far, 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 and with further conditions that while on interim bail, the petitioner shall not try to come in contact with the prosecution witnesses or tamper with

the evidence, he shall not indulge in any criminal activities and 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.

(S.K. Sahoo)
Judge



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