

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11277 of 2021

Netrananda Sahu

....

Petitioner

Mr. Devashis Panda, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr. Arupananda Das,
Addl. Government Advocate*

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

**ORDER
30.06.2022**

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 under section 439 of Cr.P.C. in connection with S.A. Case No.11 of 2020 arising out of Nuapada P.S. Case No.17 of 2020 pending in the Court of learned Special Judge, Nuapada for offences punishable under sections 21(C) and 29 of the N.D.P.S. Act, sections 27(b)(ii) and 28 of the Drugs and Cosmetics Act and section 25 of the Arms Act.

The petitioner moved an application for bail before the Court of learned Special Judge, Nuapada, which was rejected on 28.06.2021.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 30.01.2020 and in the meantime out of twenty four charge sheet witnesses, three witnesses have been examined in the learned trial Court. He further submitted that the petitioner was granted interim bail for a period of two weeks by this Court as per order dated 11.03.2022 passed in I.A. No. 247 of 2022 and after availing the interim bail period, he has surrendered before the learned Court below at right time. Learned counsel for the petitioner has filed the surrender certificate. It is further submitted that in view of the inordinate delay in disposal of the trial and the conduct of the petitioner in complying with the earlier interim bail order, the petitioner may be granted interim bail for some period.

Learned counsel for the State opposed the prayer for bail.

Considering the submissions made by the learned counsel for the respective parties, the period of detention of the petitioner in judicial custody, progress of the trial so far and the conduct of the petitioner in complying with the terms of the earlier interim bail order, at this stage, 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 and 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 that while on interim bail, the petitioner shall not try to come in contact with any of 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 on which the date would be fixed for trial during the period of interim bail. The Inspector in-charge of Nuapada Town police station shall keep a close vigil over the activities of the petitioner during the interim bail period.

Violation of any 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