

(2024) 05 OHC CK 0102

Orissa High Court

Case No: Bail Application No. 6192 Of 2023

Sujaya Mallick

APPELLANT

Vs

State Of Odisha

RESPONDENT

Date of Decision: May 8, 2024

Acts Referred:

- Narcotics Drugs and Psychotropic Substances Act, 1985 - Section 20(b)(ii)(C)

Hon'ble Judges: Sashikanta Mishra, J

Bench: Single Bench

Advocate: A.S. Paul

Final Decision: Disposed Of

Judgement

Sashikanta Mishra, J

1. This matter is taken up through hybrid mode.
2. In paragraph-3 of order dated 29.04.2024, the word "April" be corrected as "May".
3. Necessary correction be carried out.
4. Heard learned counsel for the petitioner and learned Addl. Standing Counsel for the State.
5. The Court below has submitted a report stating that 2 out of 3 PR witnesses have been examined so far.
6. Leaned counsel for the petitioner submits that only the I.O. remains to be examined but because of his non-appearance, the case is not moving further.
7. The petitioner is in custody since 05.08.2022 in connection with P.R. Case No.46 of 2022-2023 corresponding to T.R. Case No.70 of 2022 pending

in the Court of learned 1st Addl. Sessions Judge- cum- Special Court under NDPS Act, Khordha for the alleged commission of offence under

Sections 20(b)(ii)(C) of NDPS Act.

8. The prosecution case is that the petitioner and another person were transporting contraband ganja weighing 12 Kg when they were apprehended by

excise officials. It is submitted that the petitioner is in custody since 05.08.2022 and because of such long detention, several problems have arisen in

his family, which requires his personal attention. He therefore, prays for grant of at least interim bail for some period.

9. Considering the submissions as above and the fact that trial is at the fag end, while not being inclined to grant regular bail, the bail application is

disposed of directing the Court below to release the petitioner on interim bail for a period of four weeks from the date of his actual release on such

terms and conditions as the Court below may deem fit and proper to impose.

10. The BLAPL is disposed of.

11. Issue urgent certified copy as per Rules.

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