(2024) 07 OHC CK 0012

Orissa High Court

Case No: Bail Application No. 3977 Of 2023

Susthira Pal		APPELLANT
	Vs	
State Of Odisha		RESPONDENT

Date of Decision: July 2, 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: Sujata Jena

Final Decision: Disposed Of

Judgement

Sashikanta Mishra, J

1. This matter is taken up through hybrid mode.

2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.

3. The Petitioner is in custody since 21.8.2023 in connection with P.R No.336/2023-24 which has given rise to 2(a) C.C No. 122 of 2023 (N) pending in the court of Learned Addl. Sessions Judge-cum-Special Judge, Berhampur, Ganjam for the alleged commission of the offence under Sections U/s. 20(b) (ii) (C) of NDPS Act.

4. The Petitioner prays for grant of interim bail on the ground of illness of his child and non-availability of any male member in the family to take care of the child.

5. Learned State counsel has obtained instructions form the Inspector of Excise that the Petitioner's child is in fact suffering from ailment and there is no other male person

available in the family to arrange for its treatment.

6. In such view of the matter, I am inclined to allow the prayer for interim bail. The BLAPL is disposed of directing the Court below to release the Petitioner on interim bail for a period of two months from the date of his actual release on such terms and conditions as may be fixed by the court below including the condition that he shall not misuse the liberty granted to him.

7. After expiry of the aforesaid period of two months, the Petitioner shall surrender before the court below, failing which appropriate warrant may be issued for his production.

8. Urgent certified copy of this order be granted on proper application.

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