
(2024) 02 OHC CK 0126
In the Orissa High Court
Case No : Bail Application No. 336 Of 2024
Muna Sethi @ Sethy Vs State Of Orissa ?

Date of Decision : 15-02-2024

Acts Referred:

Code of Criminal Procedure, 1973 — Section 439
Narcotic Drugs and Psychotropic Substances Act, 1985 — Section 21(b)

Citation : (2024) 02 OHC CK 0126

Hon'ble Judges : V. Narasingh, J

Bench : Single Bench

Advocate : S.S. Ray 2, K.K. Gaya

Final Decision : Disposed Of

Judgement

V. Narasingh, J

1. Heard learned counsel for the Petitioner and learned counsel for the State.
2. The Petitioner is an accused in T.R. Case No.578 of 2022 pending on the file of learned 2nd Addl. Sessions Judge, Bhubaneswar, arising out of Bharatpur P.S. Case No.504 of 2022 for commission of the offence under Section 21(b) of the N.D.P.S Act.
3. Learned counsel, on instruction, submits that except the present BLAPL, no other bail application of the Petitioner relating to the aforementioned P.S. Case is pending in any other Court.
4. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C by the learned 2nd Addl. Sessions Judge, Bhubaneswar, by order dated 11.01.2024 in the aforementioned case, the present BLAPL has been filed.
5. This Court by order dated 15.09.2023 in BLAPL No.3386 of 2023 rejected the bail application of the Petitioner. In the said order, the antecedents of the Petitioner have been mentioned in Paragraph-8 thereof.
6. It is submitted by the learned counsel that the Petitioner is in custody since 23.12.2022 on the accusation of possessing contraband (brown sugar) to the

tune of 46 grams.

7. It is further submitted that since charge sheet has been filed on 19.02.2023, further continuance of the Petitioner in custody is not warranted.

8. Learned counsel for the State opposes the prayer for bail.

9. It is stated that because of long incarceration the Petitioner is entitled to be released on bail.

10. Taking note of the same a report was called for from the learned Court in seisin and in such report dated 12.2.2024 it is stated that the trial is likely to be completed within next four months.

11. Considering the same, this Court is not inclined to entertain the bail application at this stage.

12. Liberty is given to the Petitioner to renew his prayer before the learned Court in seisin in the event trial is not concluded within the next four months.

13. The BLAPL is accordingly disposed of..

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