



ITEM NO.14

COURT NO.12

SECTION II-B

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 57403/2024

[Arising out of impugned final judgment and order dated 06-09-2024 in BLAPL No. 7234/2024 passed by the High Court of Orissa at Cuttack]

ASIM MALLIK

Petitioner(s)

VERSUS

THE STATE OF ODISHA

Respondent(s)

IA No. 49444/2025 - CONDONATION OF DELAY IN FILING

IA No. 49445/2025 - EXEMPTION FROM FILING O.T.

Date : 24-04-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SUDHANSHU DHULIA
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) : Mr. Shrey Kapoor, AOR
Mr. Lalitendu Mohpatra, Adv.

For Respondent(s) : Ms. Sharmila Upadhyay, AOR
Mr. Sarvjit Pratap Singh, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Delay condoned.

The petitioner is an accused for the offences punishable under Sections 20(b)(ii)(C) of the NDPS Act. The High Court, vide impugned order dated 06.09.2024, has granted interim bail to the petitioner. He has already undergone about 03 years in jail.

Considering the period of incarceration of the petitioner and the entire facts and circumstances of this case, we are of the opinion that a case of bail is made out for the

petitioner and therefore, the prayer for bail is allowed.

Accordingly, the petitioner is directed to be released on bail forthwith on the usual terms and conditions to be decided by the concerned Court.

However, we have noticed in several such cases, which are coming to this Court challenging the orders passed by the Odisha High Court, that recurring interim bail is granted for the same applicant over and over again. Though, it may be necessary in some cases to grant interim bail to take care of specific contingencies, but as a routine, interim bail should not be granted. Either the Court should grant regular bail or should refuse to grant bail. Granting interim bail should be an exception, and should not be granted in a routine manner and repeatedly.

The present Special Leave Petition shall stand disposed of in the above terms along with pending application(s), if any.

(JAYANT KUMAR ARORA)
ASTT. REGISTRAR-cum-PS

(RENU BALA GAMBHIR)
ASSISTANT REGISTRAR