



IN THE HIGH COURT OF ORISSA AT CUTTACK
JCRLA No.185 of 2024

Dalabehera Surendra Dora* ... *Appellant

Mr. S.K. Routray, Advocate

-versus-

State of Odisha* ... *Respondents

Mr. A.K. Apat, Addl. PP

CORAM:
JUSTICE G. SATAPATHY

ORDER(ORAL)
28.02.2025

Order No.
03.

I.A. No.43 of 2025

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. The present Interlocutory Application U/S.5 of the Limitation Act, 1963 has been filed by the appellant to condone the delay of 05 days in preferring the appeal as the prisoner's petition received from jail with 05 days late.
3. Heard Mr. Saraoj Kumar Routray, learned counsel for the appellant-petitioner and Mr. A.K. Apat, learned Addl. Public Prosecutor in the matter and perused the record.
4. After hearing the learned counsel for the parties and on going through the averments taken in the I.A., since there is a delay of 05 days which has been properly explained by the appellant, this Court notwithstanding to the objections raised by the State considers it in the interest of justice to condone the



delay. Accordingly, the delay of 05 days in preferring the appeal is, hereby, condoned.

5. The I.A. is accordingly, disposed of.

JCRLA No.185 of 2024

6. This is an appeal against conviction and sentence of the appellant-petitioner for offence punishable U/Ss. 20(b)(ii)(C) of the NDPS Act.

7. Heard Mr. Saraoj Kumar Routray, learned counsel for the appellant-petitioner and Mr. A.K. Apat, learned Addl. Public Prosecutor in the matter and perused the record.

8. Admit.

9. Call for the soft/digitized copy of the LCR/TCR by the next date.

10. List this matter on 12th May, 2025.

I.A. Nos. 44 & 46 of 2025

11. These aforesaid two IAs would be taken up after receipt of soft copy of the LCR/TCR. Further, the learned State Counsel is, hereby, permitted to file written objection to the bail application of the appellant-petitioner in terms of the law laid down by the Apex Court in ***Atul Tripathi vs. State of Uttar Pradesh & Others; (2014) 9 SCC 177.***

(G. Satapathy)
Judge

S. Sasmal

Signature Not Verified

Digitally Signed
Signed by: SUBHASHMITA SASMAL
Designation: Jr. Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 28-Feb-2025 18:43:19

