



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 853 of 2025

Roshan Sethy@ Roshan Sethi .... Petitioner  
Mr. S.K.Baral, Advocate

-Versus-

State of Odisha .... Opposite Party  
Mr. P.K.Ray, AGA

AND

BLAPL No. 1377 of 2025

Shankar Gouda .... Petitioner  
Mr. S. K.Baral, Advocate

-Versus-

State of Odisha .... Opposite Party  
Mr. P.K.Ray, AGA

CORAM:  
MR. JUSTICE R.K. PATTANAIK

ORDER  
27.03.2025

Order No.

- 02.
1. Heard Mr. Baral, learned counsel appearing for the petitioners and Mr. Ray, learned AGA for the State.
  2. Both the petitions are clubbed together for hearing and disposal by the following common order.
  3. Instant petitions under Section 483 of B.N.S.S., 2023 are filed for release of the petitioners on bail in Excise Chikiti Range, P.R. No-34 of 2023-24 corresponding to 2(a).C.C. No-126 of 2023(N) pending in the file of learned District & Sessions Judge-cum-Special Judge, Berhampur, Ganjam on the grounds stated.



4. This Court by order dated 12<sup>th</sup> February, 2025 had directed the State to ascertain any criminal antecedent against the petitioner, which has not been received, as informed to the Court by Mr. Ray, learned AGA for the State. At the same time, Mr. Baral learned counsel for the petitioners pleads for release of the petitioners on bail as they are in custody for about one year and eight months. Mr. Ray, learned AGA for the State submits that two of the witnesses have been examined as made to reveal from the rejection order i.e. Annexure-3 in BLAPL No. 1377 of 2025.

5. Gone through the P.R. as at Annexure-1. In fact, while considering the bail of the co-accused, namely, Shankar Gouda in BLAPL No. 2615 of 2024, this Court had directed the learned court below to conclude the trial within a stipulated period. The trial is in progress. Admittedly, the recovery and seizure is of commercial quantity of Ganja. The petitioners have been found to be in possession of the contraband Ganja and hence, the P.R. Despite a direction of this Court in BLAPL No. 2615 of 2024 in respect of the other accused, namely, Shankar Gouda, the trial could not be concluded. Considering the same and length of custody of the petitioners ever since arrested i.e. on and from 28<sup>th</sup> August, 2023, the Court is of the view that both should also be allowed to go on bail, however, with stringent conditions.

6. Accordingly, it is ordered.

7. In the result, the petitions under Section 483 of B.N.S.S. stand allowed. Consequently, the petitioners are directed to be released on bail in connection with Excise Chikiti Range, P.R. No-34 of 2023-24 corresponding to 2(a).C.C. No-126 of 2023(N) subject to them furnishing bail bonds of Rs.1,00,000/-(rupees one lakh) each with one solvent surety for the like amount each to the satisfaction of the learned District & Sessions Judge-cum-Special



Judge, Berhampur, Ganjam, who shall be at liberty to impose such other suitable conditions as deemed just and proper in the facts and circumstances of the case besides the following, such as, they shall furnish an undertaking not to involve themselves in similar criminal activities, while on bail and to attend the trial on each date of posting, till the same is over.

8. The BLAPLs are disposed of.
9. Urgent certified copy of this order be granted as per rules.

**(R.K. Pattanaik)**  
**Judge**

kabita

**Signature Not Verified**

Digitally Signed  
Signed by: KABITARANI MAJHI  
Reason: Authentication  
Location: OHC,Cuttack  
Date: 28-Mar-2025 17:25:00

