



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 960 of 2025

Duli Bibara @ Duli Bibar

....

Petitioner

Mr. S.S.Ray (2), Advocate

-Versus-

State of Odisha

....

Opposite Party

Mrs. U. Padhi, ASC

CORAM:

MR. JUSTICE R.K. PATTANAIK

ORDER

26.03.2025

Order No.

02.

1. Heard learned counsels for the respective parties.
2. Instant petition is filed for release of the petitioner on bail in connection with T.R. Case No.05 of 2020 arising out of Chandrapur P.S. Case No.17 of 2020 pending in the file of learned Additional Sessions Judge-cum-Special Judge, Bissamcuttack on the grounds stated therein.
3. This Court by order dated 11th March, 2025 had directed the State to take instructions and to inform the Court regarding the role played by the petitioner vis-à-vis the illicit transportation of Ganja. In course of haring, Mr. Ray, learned counsel for the petitioner submits that the recovery has not been made from the petitioner but from other accused persons, who have been granted bail by the Apex Court and while claiming so, he refers to the copies of the orders as at L-1. It is submitted that the named accused persons in the FIR have been granted bail on account of long incarceration. It is submitted that the petitioner is an elderly person aged about 70 years and has remained in custody from 13th February, 2021. The submission is that in absence of any recovery shown against the petitioner, though, he is alleged to be the supplier but such claim is based on the disclosure of the co-accused persons,



who have been caught at the spot with the seizure of contraband Ganja, he should be allowed to go on bail with any conditions. In response to the instructions of the Court, Mrs. Padhi, learned ASC for the State reveals the details with regard to the nature of involvement of the petitioner. Admittedly, the petitioner was not present at the spot. The seizure was made and it was in the immediate presence of the co-accused persons, who are now on bail. Such bail has been granted to the accused persons for their long detention and delay in closure of trial. Considering the same and release of the co-accused persons and the petitioner being not present at the spot alleged to be a supplier and as there would be further delay, since there is most unlikely that the trial would be completed in near future, in view of the fact that it has not even commenced as on date, so informed by Mr. Ray, learned counsel, the Court is inclined to direct the petitioner to go on bail with conditions.

4. Accordingly, it is ordered.

5. In the result, the petition stands allowed. As a necessary corollary, the petitioner is directed to be released on bail in connection with T.R. Case No.05 of 2020 arising out of Chandrapur P.S. Case No.17 of 2020 subject to him furnishing a bail bond of Rs.50,000/- (rupees fifty thousand) with one solvent surety for the like amount to the satisfaction of the learned Additional Sessions Judge-cum-Special Judge, Bissamcuttack, who shall impose such other conditions as deemed just and proper in the facts and circumstances of the case.

6. The BLAPL is disposed of.

7. Urgent certified copy of this order be granted as per rules.

Signature Not Verified

Digitally Signed
Signed by: ROJINA SAHOO
Designation: Junior Stenographer
Reason: Authentication
Location: OHC, CTC
Date: 27-Mar-2025 19:43:38
Rojina



(R.K. Pattanaik)
Judge