



IN THE HIGH COURT OF ORISSA AT CUTTACK

Guddu Bhatra @ Narana Bhatra

@ Narayan Bhatra

(In BLAPL No.1416 of 2025)

Hemadhar Muria

(In BLAPL No.1832 of 2025) ...

Petitioners

*Mr. S. Dwibedi, Advocate
(for all the petitioners)*

-versus-

State of Orissa

... Opposite Party

Mr. R.B. Mishra, Addl. PP

**CORAM:
JUSTICE G. SATAPATHY**

**ORDER(ORAL)
24.03.2025**

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Since these two bail applications arise out of one and same case record, the same are heard together and disposed of by this common order with the consent of the learned counsel for the parties.
3. This is an application U/S.483 of BNSS by the petitioners for grant of bail in connection with Kosagumuda PS Case No.105 of 2022 arising out of TR Case No.31(A) of 2022 pending in the file of learned Sessions Judge-Cum-Special Judge, Nabarangpur for commission of offences punishable U/S. 20(b)(ii)(C)/29 of NDPS, on the allegation of transporting 28 Kgs. 260 Grams of Contraband Ganja conjointly from an Auto Rickshaw and a Motorcycle, along with co-accused persons.



4. Heard, Mr. Suryakanta Dwibedi, learned counsel appearing for the petitioners and Mr. R.B. Mishra, learned Additional Public Prosecutor and perused the record.

5. After having considered the rival submissions and taking into account the nature and gravity of the offence as alleged against the Petitioners vis-à-vis the accusation sought to be brought against them and keeping in view the fact that FIR does not clarify as to what quantity Contraband Ganja carried in Auto Rickshaw and in Motorcycle and regard being had to the pre-trial detention of the Petitioners in custody since 15.01.2025 with submission of charge-sheet in the meanwhile containing only allegation against the Petitioners for supplying the Contraband Ganja and no Contraband Ganja having recovered from the conscious possession of the Petitioners and taking into account the peculiar facts circumstances of the case, this Court considers that conditions of Section 37 of the NDPS Act may be dispensed with at this stage, more particularly when co-accused allegedly found in possession of the Contraband Ganja has already been granted bail in BLAPL Nos.10315, 10312 and 8825 of 2022.

6. For this reasons stated hereinabove as released of co-accused and taking into account the release of co-accused persons on bail, this Court without expressing any view on merit admits each of the Petitioners to bail.

7. Hence, these two bail applications of the petitioners namely Guddu Bhatra @ Narana Bhatra @



Narayan Bhatra in BLAPL No.1416 of 2025 and Hemadhar Muria in BLAPL No.1832 of 2025 stand allowed and each of the petitioners is allowed to go on bail on furnishing bail bonds of Rs.1,00,000/- (Rupees One Lakh) only each with two solvent sureties for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper by it with following conditions:-

(i) the petitioners shall not commit any offence while on bail,

*(ii) the petitioners in the course of trial shall attend the trial Court on each date of posting without fail unless their attendance is dispensed with. **In case the Petitioners fail without sufficient cause to appear in the Court in accordance with the terms of the bail, the learned trial Court may proceed against the Petitioners for offence U/S.269 of BNS,2023 in accordance with law,***

(iii) the petitioners shall not leave the territorial jurisdiction of the trial Court without prior permission till disposal of the case by intimating their present address of stay to the concerned Court,

(iv) the petitioners shall report attendance before the Jurisdictional Police Station once in a fortnight preferably on 2nd Sunday of each month in between 10 A.M. to 12 Noon for three (03) months from the actual date of their release from the custody.



The I.I.C. of Jurisdictional Police Station shall not detain the petitioners unnecessarily after recording their attendance beyond the time as stipulated.

It is clarified that the Court in seisin of the case will be at liberty to cancel the bail of the petitioners without further reference to this Court, if any of the above conditions are violated or a case for cancellation of bail is otherwise made out. In the wake of aforesaid, the subsequent involvement of the petitioners in future for similar/grave offences on prima facie accusations may be treated as a ground for cancellation of bail in this case.

8. Accordingly, these BLAPL Nos.1416 and 1832 of 2025 stand disposed of.

9. Issue urgent certified copy of the order as per Rules.

(G. Satapathy)
Judge

Jayakrushna

Signature Not Verified

Digitally Signed
Signed by: JAYAKRUSHNA DASH
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 25-Mar-2025 18:34:54

