



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 1131 of 2025

Sk. Rahil @ Rahil

....

Petitioner

Mr. R. C. Maharana, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr. P.K. Ray, AGA

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

24.03.2025

Order No.

01.

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.198 of 2023 arising out of Sahidnagar P.S. case No.141 of 2023 pending in the file of learned 3rd Additional Sessions Judge, Bhubaneswar on the grounds stated therein.
3. Perused the FIR and the rejection order as at Annexures-1 and 2 respectively.
4. In course of hearing, learned counsel for the petitioner fairly submits that the petitioner is having two more antecedents but such recovery and seizure with regard to contraband Brown Sugar was for the purpose of personal consumption and not for sale and though, such antecedents are against him, he should be allowed to go on bail as herein the quantity is 10 grams only, which is objected to by Mr. Ray, learned AGA for the State, who submits that petitioner is a habitual offender and hence, not to be released. On a reading of the FIR i.e. Annexure-1, the Court finds that there has been recovery of 10 grams of contraband substance from the petitioner. It is made to understand that the petitioner claimed personal consumption of the substance but according to Mr. Ray,



learned AGA as made to reveal from Annexure-1, he was also involved in selling the same. However, considering the fact that less than commercial quantity of Brown Sugar has been recovered and the petitioner is implicated for an offence under Section 21(b) of the NDPS Act and he was stated to be involved on earlier occasions with less than commercial quantity of Brown Sugar and regard being had to his custody from 9th April, 2023 close to a year by now, the Court is of the view that he should be allowed to go on bail with stringent conditions.

5. Accordingly, it is ordered.

6. 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.198 of 2023 arising out of Sahidnagar P.S. case No.141 of 2023 subject to him furnishing a bail bond of Rs.50,000/- (rupees fifty thousand) with two solvent sureties for the like amount each to the satisfaction of the learned 3rd Additional Sessions Judge, Bhubaneswar, who shall impose such other conditions as deemed just and proper in the facts and circumstances of the case besides the following, such as, he shall attend the PS and report the IO even though the investigation is concluded at least once in ten days' time and to continue to do so, for a period of one year without fail and if in case, any of the conditions imposed by the Court and to be further imposed by learned court below is or are violated at the instance of the petitioner, it shall forthwith entail cancelation of the bail granted to him.

7. The BLAPL is disposed of.

8. 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: 25-Mar-2025 11:02:43



(R.K. Pattanaik)
Judge