



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.1444 of 2025

Md. Tauhid Ansari & another

....

Petitioners

Mr. D.P. Mishra, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mrs. U.R. Padhi, ASC

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

03.03.2025

Order No.

01.

1. Heard Mr. Mishra, learned counsel for the petitioners and Mrs. Padhi, learned ASC for the State.

2. Instant petition under Section 483 BNSS is filed for release of the petitioners on bail in connection with T.R. Case No.4 of 2025 pending in the file of learned Sessions Judge-cum-Judge (Special Court), Sambalpur corresponding to Sambalpur GRPS P.S. Case No.6 of 2025 on the grounds stated therein.

3. Perused the F.I.R. and the rejection order as at Annexures-1 and 2 respectively.

4. In course of hearing, learned counsel for the petitioners submits that the petitioners were about to board a train and at that time, they have been intercepted by the local police leading to the recovery of the contraband Ganja kept in bags. It is claimed that the petitioners do not have been any criminal antecedents. The petitioners are admittedly outsiders belong to the State of Jharkhand and West Bengal.



5. The case diary and other police papers have been produced in Court by Mrs. Padhi, learned ASC for the State and the same is perused. From the materials on record, it is suggested that one of the accused persons, namely, petitioner No.1 admitted his guilt and claimed possession of the contraband Ganja. Such statement has been made before the police during investigation. As the petitioners are found near the spot and suspected to be in possession of the bags, the police arrested them and ultimately, made the seizure of the contraband Ganja, admittedly, commercial quantity. However, considering the fact that there appears to be substantial progress in investigation with the recovery and seizure being accomplished and regard being had to the fact that the recovery is made at a public place near a railway station, notwithstanding the accused persons to be the outsiders, both having been in custody since 21st January, 2025, the Court, recording such claim about absence of other criminal antecedents of similar nature and that the inquiry and trial is unlikely to conclude in near future, is inclined to direct both to go on bail with stringent conditions.

6. Accordingly, it is ordered.

7. In the result, the petition under Section 483 BNSS stands allowed. Consequently, the petitioners are directed to be released on bail in connection with T.R. Case No.4 of 2025 arising out of Sambalpur GRPS P.S. Case No.6 of 2025 subject to them furnishing bail bonds of Rs.50,000/-(rupees fifty thousand) each with two solvent sureties (one should be a local resident) for the like amount each to the satisfaction of the learned Sessions Judge-cum-Judge (Special Court), Sambalpur, 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 attend the P.S. once in twenty days' time and to report the I.O. for the purpose of investigation till the submission of the chargesheet.



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

(R.K. Pattanaik)
Judge

Balaram

Signature Not Verified

Digitally Signed
Signed by: BALARAM BEHERA
Reason: Authentication
Location: OHC, CTC
Date: 04-Mar-2025 12:03:38

