



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 2031 of 2025

Babula Nayak **Petitioner**
Mr. B.K. Behera, Advocate
-Versus-

State of Odisha **Opposite Party**
Mr. P. Satpathy, ASC

And

BLAPL No. 2081 of 2025

Sushanta Kuamr Sahoo @ Chian **Petitioner**
Mr. B.R. Mohanty, Advocate
-Versus-

State of Odisha **Opposite Party**
Mr. P. Satpathy, ASC

CORAM:
MR. JUSTICE R.K. PATTANAIAK

ORDER
26.03.2025

Order No.

01. 1. The petitions are disposed of by the following common order.
2. Heard learned counsels for the respective parties.
3. Instant petitions are filed for release of the petitioners on bail in connection with T.R. Case No.61 of 2025 arising out of Bharatpur P.S. case No.53 of 2025 pending in the file of learned District and Sessions Judge-cum- Special Judge (K), Bhubaneswar on the grounds stated therein.
4. In course of hearing, it is brought to the notice of the Court that the accused persons are having antecedents. In fact, it is claimed



by Mr. Satpathy, learned ASC for the State that the accused, namely, Babula Nayak is having four antecedents but in reply, it is informed to the Court that the same are not similar in nature. In respect of the other accused, namely, Sushanta Kumar Sahoo @ Chian, it is fairly admittedly by Mr. Mohanty, learned counsel appearing for him that he has similar antecedent besides one for an offence under the IPC. With the further submission that the said accused is involved in NDPS cases with regard to recovery is made being possessed for own consumption, hence, to be released. Mr. Satpathy, learned ASC for the State objects to the release of the petitioners for both of them having antecedents. Mr. Behera, learned counsel for the accused, namely, Babula Nayak claims that the said accused is having an Excise case to his credit. A copy of the seizure list is produced in Court by Mr. Behera, learned counsel in respect of the accused, namely, Babula Nayak. The recoveries are in respect of 11.63 grams and 6.18 grams respectively. A copy of the seizure list vis-à-vis the accused, namely, Sushanta Kumar Sahoo @ Chian is also produced and the same is gone through. Admittedly, the recoveries are in relation to less commercial quantity of brown sugar. Considering the above facts and submissions of learned counsel for the respective parties and since, the recovery and the seizure is accomplished, the Court, under the impression that substantial part of investigation to be concluded by now, recording such objection of Mr. Satpathy, learned ASC for the State and the custody of both the accused persons from 4th February, 2025, is inclined to grant them bail with stringent conditions.

5. Accordingly, it is ordered.

6. In the result, the petitions stand allowed. As a necessary corollary, the petitioners are directed to be released on bail in connection with T.R. Case No.61 of 2025 arising out of Bharatpur P.S. case No.53 of 2025 subject to them furnishing bail bonds of



Rs.50,000/- (rupees fifty thousand) each with one solvent surety for the like amount each to the satisfaction of the learned District and Sessions Judge-cum-Special Judge(K), 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, they shall attend the PS and to report the IO once in a week preferably on Sunday between 10 AM and 1 PM for the purpose of investigation and to continue to do so, till the same is over and to furnish an undertaking not to involve themselves in similar nefarious activities after being released.

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

(R.K. Pattanaik)
Judge

Rojina

Signature Not Verified

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

