



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.2046 of 2025

Brajesh Kumar & others

....

Petitioners

Mr. Devashis Panda, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr. T.K. Acharya, ASC

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

26.03.2025

Order No.

01.

1. Heard Mr. Panda, learned counsel for the petitioners and Mr. Acharya, learned ASC for the State.

2. Instant petition under Section 483 BNSS is filed seeking release of the petitioners on bail in connection with T.R. Case No.143 of 2024 pending in the file of learned Sessions Judge –cum- Judge (Special Court), Sambalpur corresponding to Ainthapali P.S. Case No.399 of 2024 on the grounds stated therein.

3. Gone through the contents of the F.I.R. as at Annexure-1. From the report, it is revealed that the recovery and seizure of contraband Ganja of commercial quantity was made at a bus stand. It is alleged that the accused persons were found near the bags containing contraband Ganja weighing 42 Kgs 092 grams. Mr. Panda, learned counsel for the petitioners submits that although the accused persons are outsiders but they do not have any antecedents and their attendance may be procured by imposing suitable conditions. With such submission, Mr. Panda, learned counsel pleads for release of the petitioners. Mr. Acharya, learned ASC vehemently



objects release of the petitioners on account of the alleged recovery and seizure of commercial quantity of Ganja and for the fact that all of them are from the State of Bihar. The F.I.R. i.e. Annexure-1 indicates that seven persons were present at the bus stand but as it appears, six of them have been forwarded. The petitioners are alleged to have in possessions of the bags with contraband Ganja. Considering the facts revealed from the F.I.R. and submissions of learned counsels for the respective parties and though the investigation is in progress but under the impression that the same to be substantially over by now after such seizure having been accomplished, the Court is inclined to direct the petitioners to go on bail, however, with stringent conditions. Accordingly, it is ordered.

4. 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.143 of 2024 arising out of Ainthapali P.S. Case No.399 of 2024 subject to them furnishing bail bonds of Rs.50,000/- (rupees fifty thousand) each with two solvent sureties (one of whom to 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. and report the I.O. once in a month for the purpose of investigation and to submit an undertaking in that behalf and also to continue to furnish the details of their locations and residence details in the State of Bihar after being released, till the trial is concluded.

5. The BLAPL is disposed of.

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

Signature Not Verified

Digitally Signed
Signed by: BALARAM BEHERA
Designation: Personal Assistant
Reason: Authentication
Location: OHC, CUTTACK
Date: 27-Mar-2025 11:46:33

Balaram

(R.K. Pattanaik)
Judge