



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 12315 of 2025

Budu Mallick

..... *Petitioner(s)*
Mr. Mahes Das, Adv.

-versus-

State of Odisha

..... *Opposite Party*
Ms. Sarita Moharana, ASC

CORAM:

DR. JUSTICE SANJEEB K PANIGRAHI

ORDER

17.12.2025

Order No.

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F.I.R. No.	Dated	Police Station	Case No. and Courts' Name	Sections
354	30.10.2025	Balliguda	C.T. Case No.172 of 2025 pending in the court of learned Court of the Special Judge-cum-Addl. District and Sessions Judge, Balliguda	Sections 20(b)(ii)(C) of the N.D.P.S. Act.

1. This matter is taken up through hybrid arrangement.



2. Heard learned counsel for the Parties.
3. The Petitioner being in custody in Balliguda P.S. Case No. 354 of 2025 corresponding to C.T. Case No.172 of 2025 pending in the court of learned Court of the Special Judge-cum-Addl. District and Sessions Judge, Balliguda , registered for the alleged commission of offences under Sections 20(b)(ii)(C) of the N.D.P.S. Act., has filed this petition for his release on bail.
4. The brief fact of the case is that on 30.10.2025, the S.I. of Balliguda P.S. arrested the Petitioner and filed one F.I.R. bearing Balliguda P.S. Case No.354 of 2025, under Section 20(b)(ii)(C) of the N.D.P.S. Act against him, alleging that he was waiting near the roadside of village Chingirigaon with two jerry bags containing Ganja in both the bags. It is further alleged that on weighing the total Ganja kept in both the bags comes to 22 Kgs. Hence, this case.
5. Learned counsel for the Petitioner submits that the Petitioner had no knowledge regarding transportation of contraband ganja. He further submits that nothing has been seized from the conscious possession of the present Petitioner. He further submits that the Petitioner is in custody since 30.10.2025. Hence, he submits that, the prayer of the present Petitioner may be allowed.



6. Learned counsel for the State vehemently opposes the prayer for bail stating that the quantity of ganja seized is clearly above the commercial quantity prescribed under the Act which bars granting of bail.
7. Without delving into the intricacies of the case or the merits of the allegations, and in light of the facts and circumstances at hand, this Court is of the view that the petitioner should be granted bail by the learned court in *seisin* over the matter in the aforesaid case. However, such release shall be conditioned upon stringent terms and conditions, as the learned court deems fit and just with further condition that:-
 - i. the petitioner shall appear before the trial court on each date of posting of the matter.
 - ii. the Petitioner shall not indulge himself in any criminal offence while on bail.
 - iii. The petitioner shall not tamper with the evidence or intimidate the prosecution witnesses in any manner.Any violation of the above conditions shall result in the cancellation of bail.
8. The BLAPL is accordingly disposed of.

(*Dr. Sanjeeb K Panigrahi*)
Judge