

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7739 of 2022

Rambha Debi and another ***Petitioners***

Mr.B. P. Rath, Advocate

-versus-

State of Odisha ***Opposite Party***

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

29.08.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. The petitioners are accused in T.R. Case No.220 of 2022, pending in the file of learned Sessions Judge, Khordha at Bhubaneswar, arising out of Bharatpur P.S. Case No.0232 of 2022 under Section 20(b)(ii)C of the NDPS Act and is in custody since 07.06.2022.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Khurda at Bhubaneswar by order dated 28.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection and recitals in the Case Diary.

6. The allegations against the petitioners are that they were involved in the transportation of ganja to the tune of 28.300 kgs.
7. Learned counsel for the petitioner submits that both the petitioners are ladies they may be allowed to be released on bail.
8. Learned counsel for the State opposes the prayer for bail stating inter alia that since investigation is not concluded their application ought not to be considered at this stage.
9. Keeping in view the Proviso under Section 437(1) of the Cr.P.C. and that investigation has substantially progressed, this Court directs the petitioners to be released on bail on such terms to be fixed by the Court in seisin over the matter.
10. Additionally it is directed that out of the two sureties one shall be immediate family member of the petitioners and other surety shall be a local person.
11. It shall be open to the learned Court in seisin over the matter to fix the additional terms to ensure personal appearance of the petitioners on each date of trial.
12. Accordingly, the BLAPL stands disposed of.
13. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

Santoshi