IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.12215 of 2024

Resoba Bibi .... Petitioner
Mr. A.R. Panda, Advocate

-Versus-

State of Odisha .... Opposite Party
Mr. P.K. Mohanty, ASC

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
09.12.2024

Order No.

01. 1. Heard Mr. Panda, learned counsel for the petitioner and Mr. Mohanty, learned ASC for the State.

2. Instant petition under Section 439 Cr.P.C. is filed for release of the petitioner on bail in connection with Special Case No.277 of 2024 pending in the file of learned District & Sessions Judge-cum-Special Judge, Balasore corresponding to Jaleswar P.S. Case No.584 of 2024 on the grounds stated therein.

3. Mr. Panda, learned counsel for the petitioner submits that the petitioner is having no criminal antecedents and the local police made the recovery and seizure, as has been shown from the spot house, who is living with other family members. It is, hence, submitted that the petitioner should be enlarged on bail on any terms and conditions as she is having no criminal antecedent of similar nature.

4. Mr. Mohanty, learned ASC for the State, on the other hand, objects to the release since there is evidence regarding recovery of the contraband Brown Sugar from the alleged house.

5. Since the contraband substance is less than commercial quantity of 55 Grams and nevertheless, there is recovery and seizure

of cash but the considering the fact that she has been in judicial custody from the date of his arrest, the petitioner should be released on bail subject to the following conditions.

6. Hence, it is ordered.

7. In the result, petition under Section 439 Cr.P.C. stands allowed. Consequently, the petitioner is directed to be released on bail in connection with Special Case No.277 of 2024 corresponding to Jaleswar P.S. Case No.584 of 2024 subject to him furnishing a bail bond of Rs.40,000/-(rupees forty thousand) with one solvent surety for the like amount to the satisfaction of the learned District & Sessions Judge-cum-Special Judge, Balasore, which shall be at liberty to impose such other suitable conditions as deemed just and proper in the facts and circumstances of the case. The Court further directs that such release of the petitioner shall be subject to verification and absence of criminal antecedent against her of similar nature.

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: HIGH COURT OF ORISSA, CUTTACK
Date: 10-Dec-2024 10:55:41