IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11848 of 2025

Hari Prasad Seth ..…... ***Petitioner***

Mr. Susanta Kumar Sahu, Adv.

-Versus-

State of Odisha ……. ***Opposite Party***

Mr. Rajdeep Pradhan, ASC

CORAM:
DR. JUSTICE SANJEEB K PANIGRAHI

ORDER

22.12.2025

Order No.

01.

FIR No.	Dated	Police Station	Case No. and Courts' Name	Sections
0282	06.10.2025	Bargarh Sadar	Bargarh Sadar P.S. Case No.282 of 2025 corresponding to C.T. Spl. Case No.78 of 2025 pending in the court of learned Sessions Judge-cum-Special Judge, Bargarh	Section 21(b)/25/29 of the N.D.P.S. Act read with 25(1)(A) Arms Act

1. This matter is taken up through hybrid arrangement.

2. Heard learned counsels for the Parties.

3. The Petitioner is in custody in connection with Bargarh Sadar P.S. Case No.282 of 2025 corresponding to C.T. Spl. Case No.78 of 2025 pending in the court of learned Sessions Judge-cum-Special Judge, Bargarh, registered for the alleged commission of offences under Section 21(b)/25/29 of the N.D.P.S. Act read with 25(1)(A) Arms Act, has filed this petition for his release on bail.

4. The allegation as made in the F.I.R. reveals that the S.I. of Police Sri Pradeep Kumar Seth was performing day patrolling duty on 06.10.2025 at 10 A.M. at Sastupali Village area and at about 12.15 P.M., he received information about transportation of contraband articles Eskuf Cough Syrup by 7 to 8 persons in one black colour Mahindra Scorpio, one black colour Mahindra Thar, one white colour Scorpio were coming from village Birmal side. The informant proceeded to Birmal Chowk and detained the vehicle containing eskuf cough syrup of 300 bottles each 100 ml. The informant seized one pistol from the dash board of the vehicle. The informant seized the same in spot according to the procedure of NDPS Act.

5. Learned counsel for the Petitioner submits that nothing has been seized from the conscious possession of the present Petitioner and he is in custody since 07.10.2025. He further submits that the petitioner belongs to one political party, on the behest of other political party as well as previous enmity, this

false case has been foisted by the police. Hence, he submits that the prayer of the present Petitioner may be allowed to release on bail.

6. Learned counsel for the State vehemently opposes the prayer for bail of the Petitioner.

7. Without going into the merit of the case and keeping in view the submissions of learned counsel for the Petitioner, this Court is of the view that there is no requirement of keeping the Petitioner inside the custody any further. Accordingly, this Court directs that the Petitioner be released on bail by the Court *in seisin* over the matter on some stringent terms and conditions.

8. The BLAPL is accordingly disposed of.

(Dr. Sanjeeb K Panigrahi)
Judge

Sumitra

Signature Not Verified
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Signed by: SUMITRA NAYAK
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 24-Dec-2025 17:31:24