IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1041 of 2026

Arabinda Sahoo .... ***Petitioner(s)***

Mr. Suryakanta Dwibedi, Adv.

-versus-

State of Orissa .... ***Opposite Party(s)***

Mr. Debashish Nayak, AGA

CORAM:
HON'BLE DR.JUSTICE SANJEEB K PANIGRAHI

Order No.	**ORDER**
02.	**09.04.2026**

1. This matter is taken up through hybrid arrangement.

2. In filing the present CRLMC, the Petitioner alleged to be the driver of the vehicle from which the contraband ganja weighing about 48Kgs. 784 grams is seized, has prayed for waiving the conditions imposed by the learned Additional Sessions Judge, Karanjia vide order dated 23.12.2025 passed in Criminal Misc. Case No.190 of 2025 arising out of Special G.R. (N.D.P.S) Case No.03 of 2025.

3. Heard.

4. Learned counsel for the Petitioner submits that the Petitioner is no way connected to the offences alleged against him. He has been entangled in this case only on suspicion. Learned counsel for the Petitioner further contends that the articles seized from the Petitioner i.e.

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(i) Mobile phone bearing model number IQOO Z7 Pro 5G, having SIM number 8249739761, **(ii)** Mobile phone bearing model No.Samsung Galaxy S23 FE, having SIM No.9348200600, 7077488869 and IMEI No.351005193662081 **(iii)** One Smart watch (Fasttrack Revolt FSI Pro/world's First, 1.96" Super Amolded) **(iv)** One silver Kada (Bala), are not required for further investigation/trial. Learned Court in *seisin* over the matter should have released the said articles in the *zima* of the Petitioner instead of imposing some onerous conditions. He further contends that due to some financial exigencies the Petitioner is unable to comply with the conditions imposed in the order dated 23.12.2025 passed in Criminal Misc. Case No.190 of 2025. He, accordingly, prays for modification of the conditions imposed in the order dated 23.12.2025 passed in the above noted Criminal Misc. Case.

5. Considering the submission made on behalf of the Petitioner and looking to the financial exigencies of the Petitioner, this Court waives the condition of furnishing of indemnity bond of Rs.50,000/- with one property surety for the like amount along with cash security of Rs.5000/- from the order dated 23.12.2025 passed in Criminal Misc. Case No.190 of 2025. Rest part of the order dated 23.12.2025 remains unaltered. This Court,

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in the process, directs that the above noted articles (Mobile Phone bearing model number IQOO Z7 Pro 5 G, having SIM number 8249739761 **(ii)** Mobile phone bearing model number Samsung Galaxy S23 FE, having SIM No.9348200600, 7077488869 and IMEI No.351005193662081 **(iii)** One smart watch (Fastrack Revolt FSI Pro/ world's First, 1.96" Super Amolded) and **(iv)** One silver Kada (Bala) shall be released in the *zima* of the Petitioner subject to the condition that the Petitioner shall produce the said articles before the learned Court in *seisin* over the matter as and when required. He will also not change the nature and character of the said articles.

6. This CRLMC is, accordingly, disposed of.

(Dr. Sanjeeb K Panigrahi)
Judge

Ayaskanta

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