



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5393 of 2025

Mangalu Meher

....

Petitioner(s)

Mr. Jugala Kishore Panda, Adv.

-versus-

State of Orissa

....

Opposite Party(s)

Mr. Debaraj Mohanty, AGA

CORAM:

HON'BLE DR.JUSTICE S.K. PANIGRAHI

Order
No.

ORDER
30.05.2025

F.I.R. No.	Dated	Police Station	Case No. and Courts' Name	Sections
0085	15.04.2025	Birmaharajpur	Special G.R. Case No.16 of 2025 arising out of Birmaharajpur P.S. Case No.85 of 2025 pending in the Court of learned Special Judge I/c, Sonapur	Sections 20(b)(ii) (B), 29 of the N.D.P.S Act

- 01.
1. This matter is taken up through hybrid arrangement.
 2. Heard learned counsel for the Petitioner and learned counsel for the State.
 3. The Petitioner being in custody in connection with Special G.R. Case No.16 of 2025 arising out of Birmaharajpur P.S. Case No.85 of 2025 pending in the Court of learned Special Judge I/c, Sonapur registered for the alleged commission of offences under Sections 20(b)(ii)



(B), 29 of the N.D.P.S Act, has filed this application for his release on bail.

4. The brief fact of the case is that on 15.04.2025 at about 10.55 A.M. the Police personnel during course of patrolling duty near Raxa Chhak area detained the present Petitioner on suspicion who was coming from Sonapur through a TVS Jupiter Scooty bearing registration No.OD-27-D-9209. On search, the Police personnel recovered 3.720 Kg. of contraband Ganja from the present Petitioner. Accordingly, the Petitioner was taken into custody and he has been languishing in custody since 16.04.2025.

5. Learned counsel for the Petitioner contends that though nothing has been seized from the conscious possession of the present Petitioner, the contraband Ganja alleged to have been seized from the conscious possession of the present Petitioner comes within the purview of below commercial quantity. He, accordingly, prays for permitting the Petitioner to be released on bail.

6. Learned counsel for the State vehemently opposes the prayer for bail of the Petitioner. He further submits that such type of offences is not tolerable in a law abiding society. He, accordingly, prays for dismissal of this BLAPL.

7. Considering the submissions made on behalf of both the parties, this Court without going into the merits of the case, directs the court in *seisin* over the matter to release



the present Petitioner on bail in the aforesaid case on some stringent terms and conditions with further conditions that:

- i. the Petitioner shall appear before the concerned local Police Station in every fortnight on Monday between 10.00A.M. to 1.00P.M. till conclusion of the trial;
- ii. the Petitioner shall not indulge himself in any criminal activities in future;
- iii. the Petitioner shall not tamper the evidence of the prosecution witnesses in any manner;
- iv. the Petitioner after the onset of monsoon (between June, 2025 to August, 2025), shall plant 100 saplings of local variety like mango, neem, tamarind etc. in and around his village over the Government land/ community land/ private land, if it is in the possession of the Petitioner or his family members.

Violation of any of the above conditions shall entail cancellation of the bail.

8. The District Nursery/D.F.O shall extend the helping hand by supplying the saplings to the Petitioner and the Revenue Authority shall assist the Petitioner in identifying the location for plantation of the saplings. If the land is not available, the Petitioner to approach the Revenue Authority for identifying the land for plantation and the Revenue Authority shall do the needful.

9. The I.I.C. of the concerned Police Station in coordination with the local Forest Officer shall monitor; whether the Petitioner has planted the saplings or not.



10. It is further made clear that the Petitioner shall file an affidavit after plantation of the saplings before the local Police Station assuring that he will maintain those plants for two years. The said affidavit be also produced before the learned court below at the time of trial.

11. The BLAPL is, accordingly, disposed of.

(Dr. S.K. Panigrahi)
Vacation Judge

Ayaskanta