



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.295 of 2026

Anwar Ansari and another ... **Petitioners**
Mr. K. Mohanty, Advocate
-versus-
State of Odisha ... **Opposite Party**
Mr. P. Satpathy, Addl. PP

CORAM:
JUSTICE G. SATAPATHY

ORDER(ORAL)
25.02.2026

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is the bail application U/S.483 of the BNSS by the petitioners for grant of bail in connection with PR No. 354 of 2025-26 of EI & EB Unit-II(ND), Sambalpur corresponding to TR Case No.78/01 of 2025-26 pending in the Court of learned 1st Addl. Sessions Judge-cum-Judge (Special Court), Sambalpur for commission of offence punishable U/S.20(b)(ii)(C) of the NDPS Act, on the main allegation of transporting 51Kgs of Contraband Ganja in a Mahindra Bolero Vehicle bearing Registration No.JH-17-G-3650.
3. Heard, Mr. Kaustuva Mohanty, learned counsel for the petitioners and Mr. P. Satpathy, learned Additional Public Prosecutor in the matter and perused the record including the copy of deposition of PW1. On being queried about the criminal antecedent of the petitioners, Mr. Mohanty volunteers to withhold bail to the petitioners, if he/they is/are found to have any



criminal antecedents of similar nature for commission of offence under NDPS Act.

4. Admittedly, the Petitioners have been detained in custody since 02.07.2025, but in the meantime, trial has commenced with examination of one witness PW1 who has not supported the prosecution allegation against the Petitioners. It is, however, claimed that the Petitioners are not having any criminal antecedents of similar nature. In the aforesaid facts and circumstances, especially when there is no criminal antecedents of similar nature reported against the Petitioners and taking into account the law laid down by the Apex Court in **Ankur Chaudhary v. State of Madhya Pradesh; 2024 SCC OnLine SC 2730**, the petitioners would be considered to have satisfied the conditions of Sec.37 of NDPS Act, if they are not having any criminal antecedent of similar nature for commission of offence under NDPS Act.

5. For the reason stated hereinabove and taking into account the pre-trial detention of the petitioners and keeping in view the other circumstances on record in entirety, this Court without expressing any view on merit admits the petitioners to bail, but subject to verification of their criminal antecedents.

6. Hence, the bail application of the petitioners stands allowed and they are allowed to go on bail on furnishing bail bonds of Rs.1,00,000/- (Rupees One Lakh) with two solvent sureties each for the like



amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper by it.

In view of the specific submission as advanced for the petitioners, the benefit of this order shall not be extended to the petitioners, if he/they is/are found to have any criminal antecedents of similar nature for commission of offence under NDPS Act.

7. Accordingly, the BLAPL stands disposed of. Issue urgent certified copy of the order as per Rules. A soft copy of this order be immediately communicated to the concerned Court, who shall afterwards communicate the same to the concerned Jail through e-mail for reference.

(G. Satapathy)
Judge

Priyajit