



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.1511 of 2026

Chittaranjan Mahalik

...

Petitioner

Mr. S. Mitra, Advocate

-versus-

State of Odisha

...

Opposite Party

Mr. C. Mohanty, Addl. PP

CORAM: JUSTICE G. SATAPATHY

ORDER(ORAL):25.03.2026

Order No.

01.

1. This is a bail application U/S.483 of the BNSS by the petitioner for grant of bail in connection with Excise EI & EB Unit-II PR Case No.277 of 2025 corresponding to 2(a)CC Case No.81 of 2025 pending in the Court of learned 1st Additional Sessions Judge, Cuttack, for commission of offence punishable U/S.20(b)(ii)(C) of the NDPS Act, on the main allegation of transporting 40Kgs of Contraband Ganja in a Maruti Dzire Car bearing Regd. No.OD-02-BU-5051, along with co-accused person.

2. Heard, Mr. Somanath Mitra, learned counsel for the petitioner and Mr. C. Mohanty, learned Additional Public Prosecutor in the matter and perused the record. On being queried about the criminal antecedent of the petitioner, Mr. Mitra volunteers to withhold bail to the petitioner, if he is found to have any criminal antecedent of similar nature for commission of offence under NDPS Act.

3. Admittedly, the petitioner was taken into custody on 31.07.2025, but in the meantime, PR has already been submitted, however, the trial is yet to commence. It is not in dispute that co-accused Banamali Palei @ Palai has already been granted bail by a co-ordinate Bench of this Court in BLAPL No.9755 of 2025. Further, it is claimed that the petitioner is not having any criminal antecedent of similar



nature. In the peculiar facts and circumstances, especially when no criminal antecedent of similar nature has been reported against the petitioner, the petitioner would be considered to have satisfied the conditions of Section 37 of NDPS Act, if he is not having any criminal antecedent of similar nature for commission of offences under NDPS Act.

4. For the reasons stated hereinabove and regard being had to the pre trial detention of the petitioner in custody, this Court without expressing any view on merit admits the petitioner to bail, but subject to verification of criminal antecedent of similar nature for commission of offence under the NDPS Act.

5. Hence, the bail application of the petitioner stands allowed and the petitioner is 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 petitioner, the benefit of this order shall not be extended to the petitioner, if he is found to have any criminal antecedent of similar nature for commission of offences under NDPS Act.

6. Accordingly, the BLAPL stands disposed of. 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