



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.1629 of 2026

***Ramesh Chandra
Jena @ Chagulu***

.....

Petitioner

*Mr. Amulya Ratna Panda,
Advocate*

-Versus-

State of Odisha

....

Opposite Parties

Ms. Gayatri Patra, ASC

CORAM:

DR. JUSTICE SANJEEB K PANIGRAHI

ORDER

06.05.2025

Order No.

01.

PR	Dated	Police Station	Case No. and Courts' Name	Sections
196	30.12.2025	Gopalpur Excise Station	Special Case No.409 of 2025, pending in the Court of learned Sessions Judge-cum-Special Judge, Balasore	U/S. 21(b) of the NDPS Act, 1985

1. This matter is taken up through hybrid arrangement.
2. The petitioner being in custody in connection with Gopalpur Excise Station P.R. No.196 of 2025, corresponding to Special Case No.409 of 2025, pending in the Court of learned Sessions Judge-cum-Special Judge, Balasore registered for the

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alleged commission of offence under Section 21(b) of the NDPS Act, 1985, has filed this petition for his release on bail.

3. The brief fact of the case in short is that on 30.12.2025 while the informant along with his other Excise staffs were performing patrolling duty at about 7.30 A.M, they noticed that the petitioner was standing on NH-16 near Dandakali Temple of Village-Suthanga in a suspicious manner. Seeing the patrolling party members, the present petitioner tried to flee away from the spot. But, with too much difficulties the patrolling party members nabbed him. On interrogation, the petitioner disclosed his name and identity. On being searched, the informant found one jerry packet from the possession of the present petitioner which is containing 80 gms. of brown sugar. Thereafter, the informant seized the contraband article in presence of the independent witnesses and apprehended the Petitioner from the spot.

4. Learned counsel for the Petitioner submits that this Petitioner being arrested in the case is in custody since 30.12.2025 for being involved in possession of 80 grams of brown sugar. The quantity of the seized contraband being 80 grams i.e., below commercial quantity bar contained under Section 37 NDPS Act would not be applicable to the bail application of the petitioner. He has no criminal antecedent to his credit. In view of all these above, when



the Petitioner is a permanent resident of District Balasore as also the question of tampering with the evidence does not arise, he urges for consideration of prayer for grant of bail to the Petitioner.

5. Learned counsel for the State vehemently opposes the prayer for bail on the ground that the quantity of the seized brown sugar although is below commercial quantity, but it still is a substantial quantity.

6. Considering the facts and keeping in view the submission of learned counsel for the Petitioner; further keeping in view the materials on record as those stand against the Petitioner with other surrounding circumstances, 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 with further conditions that:

- i. the petitioner shall appear before the local Police Station on 1st Monday of every month between 10 A.M. to 1.00 P.M. till the 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 evidence in any manner;





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

7. The BLAPL is, accordingly, disposed of.

(Dr. Sanjeeb K Panigrahi)
Judge

Gitanjali

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