



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2111 of 2026

***Kartika Sahoo @
Ganesh*** ***Petitioner(s)***

Mr. Bhabani Sankar Mishra, Advocate

-versus-

State of Odisha ***Opposite Party(s)***

Mr. Partha Sarathi Nayak, AGA

CORAM: JUSTICE SIBO SANKAR MISHRA

**Order
No.
02.**

**ORDER
05.05.2026**

1. Heard.
2. The petitioner is an accused in connection with 2(a)C.C. Case No.69 of 2025 arising out of P.R. No.194 of 2025-26 of EI & EB Unit-II, Cuttack registered on the allegation of the commission of the offence under Section 21(b) of the N.D.P.S. Act pending in the Court of the learned 3rd Additional Sessions Judge, Cuttack.
3. The petitioner had approached the learned Court below praying for grant of bail. The learned Court below vide its order dated 18.02.2026 has rejected the bail application of the petitioner. Being aggrieved, the petitioner has filed the present petition under Section 483 of B.N.S.S., 2023 praying for enlargement on bail.



4. Learned counsel for the petitioner, on instruction from the petitioner, submits that, except the present bail application, no other bail application of the petitioner is pending in any other Court relating to the aforesaid F.I.R.

5. The prosecution case, in brief, is that on 23.06.2025, the S.I. of Excise, E.I. & E.B., Unit-II, Cuttack, while conducting patrolling duty along with his staff, received reliable information that one person, namely the present petitioner, wearing a black-coloured pant and blue-coloured shirt, had proceeded towards Sarada Chhak on NH-16 carrying a bulk quantity of heroin for the purpose of sale. Acting upon such information, the informant, after observing due formalities, proceeded to the spot and reached there at about 12:05 P.M. At about 12:15 P.M., the said person was seen approaching Sarada Chhak on NH-16 carrying a jari bag in his hand. He was immediately detained with the assistance of the excise staff, and upon search, heroin was allegedly seized from his possession. Hence, this case.

6. Vide order dated 22.04.2026, learned counsel for the State was directed to obtain the case diary. Pursuant thereto, learned counsel for the State has produced the case diary, which indicates that the petitioner has no criminal antecedents.



7. Learned counsel for the petitioner submits that 143 grams of contraband brown sugar were allegedly recovered from the present petitioner, which is less than the commercial quantity. The petitioner is in custody since 23.06.2025.

8. Regard being had to the period of custody from 23.06.2025, the nature of accusation and the quantity of contraband seized, I am inclined to admit the petitioner on bail.

Hence, the petitioner is directed to be released on bail by the Court in seisin over the matter in the aforesaid case on such terms and conditions as it would deem just and proper, subject to the following additional conditions:-

- (i) The petitioner shall report before the concerned Police Station being physically present once a month on last Sunday of every month for four months.
- (ii) He shall not leave the jurisdiction of the trial Court till disposal of the trial.
- (iii) He shall appear before the trial Court on each date on which the case is posted for trial.
- (iv) He shall not tamper with the evidence in any manner whatsoever.
- (v) He shall be released on bail subject to verification of similar type of antecedents, if any.



Violation of any of the conditions shall entail consideration for cancellation of the bail granted to the petitioner. In the event, any of the bail conditions are violated by the petitioner, the prosecution is given liberty to move appropriate application before the Court below for recalling the concession of bail. If such application is moved, the trial Court should decide the application on its own merit.

9. The BLAPL is accordingly disposed of.

(S.S. Mishra)
Judge

Swarna

Signature Not Verified

Digitally Signed
Signed by: SWARNAPRAVA DASH
Reason: Authentication
Location: High Court of Orissa
Date: 06-May-2026 12:25:12

