



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No. 2303 of 2026

***Sarbeswar Behera @
Bapi***

Petitioner

....
Mr. P.K. Khatei, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr. P.K. Ray, AGA

CORAM: JUSTICE V. NARASINGH

ORDER
08.05.2026

Order No.

- 02.** 1. Heard learned counsel for the Petitioner and learned counsel for the State.
2. The Petitioner is an accused in connection with T.R. Case No.144 of 2025 pending on the file of learned 1st Additional Sessions Judge cum Special Judge under NDPS Act, Khordha, arising out of **Khordha Model P.S. Case No.508 of 2025** for commission of offence alleged under Sections 21(b)/29 of NDPS Act.
3. Learned counsel, on instruction, submits that except the present BLAPL, no other bail application of the Petitioner relating to the aforementioned P.S. case is pending in any other Court.
4. Being aggrieved by the rejection of their application for bail U/s.483 of the BNSS by the



learned Special Judge under NDPS Act, Khurdha by order dated 20.02.2026 in the aforementioned case, the present BLAPL has been filed.

5. The allegation against the present Petitioner is that he was in conscious possession of contraband (brown sugar) to the tune of 30 grams.

6. It is submitted by the learned counsel that the Petitioner was taken into custody since 30.11.2025 and since charge sheet in the case at hand has been filed on 27.01.2026, the Petitioner may be enlarged on bail.

7. Learned counsel for the State opposes the prayer for bail, inter alia, referring to the affidavit filed by the Petitioner indicating that the Petitioner has five criminal antecedents of similar nature. The said antecedents are culled out hereunder:-

- "1. Model PS Case No.271, Dtd.03.05.2023
U/s-21(b)/29 NDPS Act.
2. Model PS Case No.296, Dtd.31.07.2021
U/s-21(b)/29 NDPS Act.
3. Model PS Case No.457, Dtd.21.09.2022
U/s-NDPS
4. Model PS Case No.56, Dtd. 11.02.2021
341/ 323/ 307/ 294/ 506/ 34 IPC r/w
Sec.25/27 Arms Act.
5. Model PS Case No. 119, Dtd.04.04.2020
U/s- 457/380/411/34 IPC
6. Model PS Case No. 161, Dtd.08.04.2016
U/s- 395 IPC"



8. Considering the nature of allegations and the criminal antecedents which establish that the Petitioner has scant regard for the orders passed and violated the conditions stipulating his release with impunity, this Court is **not inclined** to entertain the bail application of the Petitioner.

9. Liberty is granted to the Petitioner to renew his prayer before the learned Court in seisin at a later stage.

10. Accordingly, the BLAPL stands disposed of.

(V. NARASINGH)
Judge

Jina

Signature Not Verified

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Signed by: JINA DIGAL
Reason: Authentication
Location: High Court of Orissa
Date: 09-May-2026 15:37:04

