



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2646 of 2026

P. Gopi Kishan Rao

.....

Petitioner

*Mr. Rashmi Ranjan Mishra,
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
305	04.08.2025	Maitri Vihar	T.R Case No.420 of 2025, pending in the Court of learned 3 rd Additional Sessions Judge, Bhubaneswar	U/s. 21(b) of N.D.P.S Act

1. This matter is taken up through hybrid arrangement.
2. The petitioner being in custody in connection with Maitri Vihar P.S. Case No.305 of 2025, corresponding to T.R Case No.420 of 2025, pending in the Court of learned 3rd Additional Sessions Judge, Bhubaneswar registered for the alleged commission of offence under Section 21(b) of the NDPS Act, 1985, has filed this petition for his release on bail.

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Date: 12-May-2026 17:56:19





3. The brief fact of the case in short is that on 04.08.2025 while the informant being the S.I of Police at Maitri Vihar P.S Bhubaneswar was at office, he receipt reliable information regarding transportation and selling of some contraband article Nearby Hatiasuni field with Honda Grazia Scoter bearing Registration Number OD-33-Z-9102 and were waiting for customers to sale brown sugar and accordingly to verify the authenticity of such Information, the informant and his team was constituted. The Team went towards the Spot at about 10.41 A.M. The Police Team found two suspect persons. After detaining the Suspects persons, on being asked they disclosed their identity as the Petitioner and another one is Kanha @ Gourav Biswal thereafter on further search of the Petitioner of the Jerry Bag kept inside his pocket it was found containing Brown Sugar and on Weighment 7.35 grams (Including the weight of polythene) of Brown Sugar was found and further search of the Kanha @ Gourav Biswal of the Jerry Bag kept inside his pocket it was found containing Brown Sugar and on Weighment 7.35 grams (Including the weight of polythene) thereafter as on Demand the detained Persons failed to Produce any authority for alleged Possession of such contraband things for which F.I.R was lodged.

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4. Learned counsel for the Petitioner submits that this Petitioner being arrested in the case is in custody since 04.08.2025 for being involved in possession of 7.35 grams of brown sugar. No incriminating material has been seized from the possession of the petitioner. The quantity allegedly seized is below commercial quantity. In view of all these above, when the Petitioner is a permanent resident of District Khurda 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.

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;

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- 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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