



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.2804 of 2026

Sajil Sanu and others

.....

Petitioners

Represented by Adv. -
Rakesh Kumar Sarangi

-versus-

State Of Odisha

.....

Opposite Party

Represented by Adv. –

Mr. D.K. Sahoo, AGA

CORAM:

MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

06.05.2026

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners as well as learned Additional Standing Counsel for the State. Perused the materials placed before this Court.
3. This is an application under Section 483 of the BNSS filed by the Petitioners for bail in connection with G. Udayagiri P.S Case No.37 of 2026, corresponding to C.T. Case No.100 of 2026, pending in the Court of the learned Special Judge –cum- Addl. District and Sessions Judge, Balliguda for alleged commission of offence under Sections 20(b)(ii)(B) of NDPS Act.
4. It is submitted by the learned counsel for the Petitioners that the Petitioners are in custody since 23.02.2026. Further, referring to the allegations made in the F.I.R, learned counsel for the Petitioners submitted that keeping in view the quantity of ganja seized, i.e., 13



kg 100 gm, was recovered from possession of the Petitioners. He further contended that the recovery of the contraband articles from the exclusive and conscious possession of the Petitioners is being seriously disputed by the Petitioners. He further submitted that the bar under Section 37 of the N.D.P.S Act would not be attracted. He further submitted that the Petitioners do not have any similar criminal antecedents. He further submitted that the Petitioners do not have any criminal antecedent have. He further contends that the petitioners do not belong to State of Odisha, therefore, the Petitioners are ready and willing shall abide by any stringent terms and conditions as this Court deems fit and proper in the facts and circumstances of the case.

5. Learned Additional Government Advocate on the other hand opposed the bail application of the Petitioners on the ground that such cases are increasing day-by-day and no leniency should be shown to the petitioners. He further submitted that the Petitioners belong to State of Kerala, therefore, release of the Petitioners be difficult to ensure the appearance of the Petitioners before the trial Court during trial. Further contends that the Investigation is still on. In such view of the matter, he submitted that the bail application of the Petitioners be rejected at this juncture.

6. Having heard the learned counsels appearing for the respective parties and on a careful examination of the surrounding facts and circumstances of the present case, further keeping the view the period of detention of the Petitioners in jail custody and the fact that the Petitioners do not have any similar criminal antecedent, this Court is inclined to release the Petitioners on bail



subject to imposition of stringent conditions.

7. Hence, it is directed that the Petitioners be released on bail in the aforesaid case on furnishing bail bond of Rs.40,000/- (Rupees forty thousand) each with two local solvent sureties each for the like amount to the satisfaction of the learned court in seisin over the matter subject to the following terms and conditions:

I) The Petitioners shall also file an affidavit before the Trial Court with regard to indicating there his residential details other details like Aadhar No., Phone No. before the jurisdictional police station & further release of the Petitioners shall be subject to verification of such details as would be furnished by any relative of the Petitioners in the shape of an affidavit.

II) they shall not be involved in any offence of similar nature while on bail;

III) they shall not tamper with the prosecution evidence or try to threaten or influence the witnesses in any manner whatsoever;

IV) they shall not make any default in attending the court during trial on each date without fail;

V) they shall appear before the concerned Police Station once in a fortnight preferably on 'Sunday' in between 10.00 A.M. to 1.00 P.M. till conclusion of the trial.

Violation of any of the terms and conditions shall entail cancellation of bail.



8. It is further directed that the bail granted to the Petitioners be subject to the condition that the court below shall verify the similar criminal antecedent of the Petitioners. In the event the Petitioners are having any similar criminal antecedent under the offences of NDPS Act, this bail order shall automatically stand revoked.

9. BLAPL is accordingly disposed of.

10. Issue urgent certified copy as per Rules.

(A.K. Mohapatra)
Judge

Sisir