



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.3293 of 2026

Davendar @ Devendar ... ***Petitioner***
Mr. S.K. Rout, Advocate
-versus-
State of Odisha ... ***Opposite Party***
Mr. C. Mohanty, Addl. PP

CORAM: JUSTICE G. SATAPATHY

Order No.

ORDER(ORAL): 13.07.2026

03.

1. This is a bail application U/S.483 of BNSS by the petitioner for grant of bail in connection with Sonapur PS Case No.380 of 2024 corresponding to Special GR Case No.69 of 2024 pending in the file of learned Special Judge, Sonapur for commission of offences punishable U/Ss.20(b)(ii)(C)/25/29 of the NDPS Act, on the main allegation of transporting 210Kgs of Contraband Ganja in a Truck.
2. Heard, Mr. Sangram Keshari Rout, learned counsel for the petitioner and Mr. C. Mohanty, learned Additional Public Prosecutor in the matter and perused the record.
3. Bail to the petitioner is in fact sought for under the ground of non-progress/snail's pace of trial, but the Contraband article allegedly seized in this case is much more than the commercial quantity and thereby, the Petitioner has to satisfy the conditions of Sec. 37 of NDPS Act. Right to speedy trial is an integral right of an accused, but the Petitioner is in confinement since 28.11.2024 and thereby, it cannot be said that the right to speedy trial of the Petitioner has been infringed/violated. Further, in ***State***



of Punjab vrs. Sukhwinder Singh @ Gora; 2026 Live Law(SC) 421, the Apex Court has been pleased to hold as under:-

"10. Xx xx xxx The right to speedy trial under Article 21 of the Constitution is undoubtedly a valuable constitutional guarantee; but in the context of a special statute such as the NDPS Act dealing with commercial quantity, that **right has to be read alongside, and not in displacement of the mandate of Sec.37 of NDPS Act.**"

4. In view of the aforesaid facts and circumstances and keeping in view the materials placed on record and finding the Petitioner to have not satisfied the conditions of Sec. 37 of NDPS Act, this Court is not inclined to grant bail to the Petitioner.

5. Hence, the bail application of the petitioner stands rejected. Accordingly, the BLAPL stands disposed of. A soft copy of this order be immediately transmitted to the learned Court in seisin over the matter.

(G. Satapathy)
Judge

Priyajit