



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.3055 of 2026

Rabi Naik

... ***Petitioner***

Mr. S. Mitra, Advocate

-versus-

State of Odisha

... ***Opposite Party***

Mr. R.B. Mishra, Addl. PP

CORAM: JUSTICE G. SATAPATHY

ORDER(ORAL):04.05.2026

Order No.

01.

1. This is a bail application U/S.483 of the BNSS by the petitioner for grant of bail in connection with Excise EI & EB Unit-II PR Case No.1 of 2025-26 corresponding to 2(a)CC Case No.38 of 2025 pending in the Court of learned 3rd Additional Sessions Judge, Cuttack, for commission of offence punishable U/Ss.20(b)(ii)(C)/29 of the NDPS Act, on the main allegation of transporting 32Kgs of Contraband Ganja in a Mahindra Bolero Vehicle bearing Regd. No.OD-23-A-6164, along with co-accused persons.

2. Heard, Mr. Somanath Mitra, learned counsel for the petitioner and Mr. R.B. Mishra, learned Additional Public Prosecutor in the matter and perused the record. On being queried about the criminal antecedent of the petitioner, Mr. Mitra volunteers to withhold bail to the petitioner, if he is found to have any criminal antecedent of similar nature for commission of offence under NDPS Act.

3. Admittedly, the petitioner has been detained in custody since 03.04.2025 and in the meantime, PR has already been submitted, however, the trial is yet to commence and there is no immediate prospect of trial. It is also claimed that the petitioner is not having any criminal antecedent of similar nature. In the peculiar facts and circumstances of the case, especially when there is no



immediate prospect of trial, the petitioner would be considered to have satisfied the conditions of Section 37 of NDPS Act, if he is not having any criminal antecedent of similar nature for commission of offences under NDPS Act.

4. For the reasons stated hereinabove and taking into account the other circumstances on record in entirety including the grant of bail to co-accused Subrat Kumar Bagh and Sanjib Bakul in BLAPL Nos.11930 & 12200 of 2025, this Court without expressing any view on merit admits the petitioner to bail, but subject to verification of his criminal antecedent of similar nature for commission of offence under NDPS Act.

5. Hence, the bail application of the petitioner stands allowed and the petitioner is allowed to go on bail on furnishing bail bonds of Rs.1,00,000/- (Rupees One Lakh) with two solvent sureties each for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper by it.

In view of the specific submission as advanced for the petitioner, the benefit of this order shall not be extended to the petitioner, if he is found to have any criminal antecedent of similar nature for commission of offences under NDPS Act.

6. Accordingly, the BLAPL stands disposed of. A soft copy of this order be immediately communicated to the concerned Court, who shall afterwards communicate the same to the concerned Jail through e-mail for reference.

(G. Satapathy)
Judge

Signature Not Verified

Digitally Signed
Signed by: SUBHASHMITA DAS
Reason: Authentication
Location: High Court of Orissa
Date: 05-May-2026 11:10:00

