



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.3054 of 2026

Sunita Natha

...

Petitioner

Ms. D.R. Nanda, Advocate

-versus-

State of Orissa

...

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 SI of Excise, District Mobile Unit, Rourkela PR No.182 of 2025-26 corresponding to Spl. 2(a)CC Case No.11 of 2025 (NDPS) pending in the Court of learned Special Judge, Rourkela, for commission of offence punishable U/S.20(b)(ii)(C) of the NDPS Act, on the main allegation of possessing 21Kgs of Contraband Ganja and waiting for the Bus.

2. Heard, Ms. Dipti Rekha Nanda, 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, Ms. Nanda volunteers to withhold bail to the petitioner, if she is found to have any criminal antecedent of similar nature for commission of offence under NDPS Act.

3. Admittedly, the petitioner was taken into custody on 27.07.2025, but in the meantime, two witnesses have already been examined and the quantity of Contraband Ganja allegedly seized in this case is just more than the commercial quantity. It is, however, claimed that the petitioner is not having any criminal antecedent of similar nature. In the peculiar facts and circumstances of the case and taking into account the possibility of human error in



weighing the Contraband article, the petitioner would be considered to have satisfied the conditions of Section 37 of NDPS Act, if she is not having any criminal antecedent of similar nature for commission of offences under NDPS Act.

4. For the reasons stated hereinabove and the independent witness to the seizure while examined in the trial having not supported the prosecution allegation against the petitioner, this Court without expressing any view on merit admits the petitioner to bail, but subject to verification of her 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 she 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

