



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3093 of 2026

Prasanjit Sarkar

....

Petitioner(s)

Mr. Sarbeswar Sahoo, Adv.

-versus-

State of Odisha

....

Opposite Party(s)

Mrs. Sarita Moharana, ASC

CORAM:

HON'BLE DR.JUSTICE SANJEEB K PANIGRAHI

Order No.

01.

ORDER

04.05.2026

F.I.R. No.	Dated	Police Station	Case No. and Courts' Name	Sections
248	17.09. 2025	Orkel	Special G.R. Case No.126 of 2025, Sessions Judge-cum-Special Judge, Malkangiri	20(b)(ii)(C)/ 25/29 of the NDPS Act

1. This matter is taken up through hybrid arrangement.
2. Heard learned counsel for the Parties.
3. The Petitioner, being in custody in Orkel P.S. Case No.248 dated 17.09.2025, corresponding to Special G.R. Case No.126 of 2025, pending in the Court of learned Sessions Judge-cum-Special Judge, Malkangiri, registered for the alleged



commission of offences under Sections 20(b)(ii)(C)/25/29 of the NDPS Act, has filed this petition for his release on bail.

4. The case of the prosecution, in short, is that two accused persons were apprehended while transporting ganja and confessed that as per the direction of the present Petitioner, they procured the ganja from the road side of village MV-119. It is further alleged that the informant in the present case along with other raiding party members seized 50 kgs of ganja from the spot in presence of the witnesses.

5. Learned counsel for the Petitioner submits that the Petitioner is in judicial custody since 16.03.2026 and though his name find place in the accused column but in the ground of apprehended accused statement without proper investigation, the I.O. of the case arrayed the present Petitioner as an accused person and charge sheeted as an absconder. It is further submitted that the Petitioner has been implicated on the basis of suspicion, has no criminal antecedents and the investigation having been completed, charge sheet has already been submitted. Hence, there is no possibility of tampering with evidence or absconding.

6. Learned counsel for the State opposes the prayer for bail contending that the contraband involved is of commercial quantity and therefore the rigour of Section 37 of the NDPS Act is attracted.



7. Considering the submissions of the learned counsel for the respective parties, the materials on record and the fact that no contraband has been recovered from the conscious possession of the Petitioner and further taking into account that charge sheet has already been submitted, this Court directs the Petitioner to be released on bail on such terms and conditions as deemed just and proper by the learned Court below in *seisin* of the case, including the following conditions:

- (i) The Petitioner shall furnish bail bond of such amount with two sureties of like amount to the satisfaction of the learned trial Court;
- (ii) The Petitioner shall not leave the jurisdiction of the Court without prior permission;
- (iii) The Petitioner shall appear before the trial Court on each date of hearing without default;
- (iv) The Petitioner shall not tamper with prosecution evidence or influence witnesses in any manner.

8. Any violation of the above conditions shall entail cancellation of bail.

9. The BLAPL is, accordingly, disposed of.

10. Issue urgent certified copy of this Order as per Rules.

(Dr. Sanjeeb K Panigrahi)
Judge