



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3087 of 2026

Sankarsan Barik

....

Petitioner(s)

Mr. Amitav Tripathy, 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
101	28.07.2025	Ulunda	Spl. G.R. Case No.47 of 2025, Special Judge, Sonepur	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 Ulunda P.S. Case No.101 dated 28.07.2025, corresponding to Spl. G.R. Case No.47 of 2025, pending in the Court of learned Special Judge, Sonepur, 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 on 28.07.2025 at about 06:00 AM, the informant, D. Sahu, SI of Ullunda Police Station, received reliable information that a truck bearing Registration No. BR-06GD-3322 and a Brezza car bearing Registration No. OD-07N-1918 were transporting contraband ganja from Boudh to Sambalpur. Acting on the information, the informant along with police staff proceeded to the main road and kept surveillance. At about 07:05 AM, both suspect vehicles were spotted coming from the Ullunda side at high speed. The police intercepted the vehicles for motor vehicle checking. Upon interception, the informant disclosed his identity and the reason for the search. The Brezza car was found carrying three persons, named Sanjib Bag, and driver Parasar Thati and the Petitioner. The truck was occupied by two persons, named driver Rajkumar Ray and Bikash Kumar. During search, the truck was found loaded with cashew shell bags emitting a strong smell of ganja. Upon completion of due formalities under the NDPS Act, a total of 413 kg 600 grams of ganja was recovered and seized from the truck. No contraband was recovered from the Brezza car; however, cash amounting to Rs.1,97,000/- was seized from its occupants.

5. Learned counsel for the Petitioner submits that the Petitioner is a mere occupant of the Brezza car and no contraband was recovered from his conscious possession. It



is further submitted that the Petitioner has been implicated on the basis of suspicion, has no criminal antecedents, is in custody since 28.07.2025 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