



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.3174 of 2026

Laxman Nayak

....

Petitioner

Mr. D. K. Sahoo, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M. R. Mohanty, AGA

CORAM: JUSTICE V. NARASINGH

ORDER
04.05.2026

Order No.

01. 1. Heard learned counsel for the Petitioner and learned counsel for the State.
2. The Petitioner is an accused in connection with 2(a) CC Case No.17 of 2026 pending on the file of learned District and sessions judge, Cuttack arising out of **Cuttack Excise Station PR Case No.437 of 2026** for commission of offence alleged under Section 20(b)(ii)(B) of the NDPS Act, 1985.
3. Learned counsel, on instruction, submits that except the present BLAPL, no other bail application of the Petitioner relating to the aforementioned P.S. case is pending in any other Court.
4. Being aggrieved by the rejection of his application for bail U/s.483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) by the learned Sessions



Judge-cum-Special Judge, Cuttack by order dated 23.03.2026 in the aforementioned cases, the present BLAPL has been filed.

5. The allegation against the present Petitioner is that he was involved in transportation of contraband (ganja) to the tune of 5 Kg.

6. It is submitted by the learned counsel that since final form has been submitted on 16.04.2026, the Petitioner may be released on bail.

7 Such submission is opposed by the learned counsel for the State, inter alia, on the ground that the Petitioner has criminal antecedent of similar nature.

8. It is submitted by the learned counsel for the Petitioner that ex facie in view of the bar contained in Section 37(1)(b)(ii) of NDPS Act is not attracted in the case at hand, since admittedly the quantity involved is less than a commercial quantity.

9. Per contra, learned counsel for the State submits that that in view of the antecedent of similar nature, no leniency ought to be show, since evidently the Petitioner has violated the trust reposed in him while enlarging him bail by this Court.

10. Considering the submissions and with fervent hope that the Petitioner will mend his way, this Court directs the Petitioner to be released on bail on such



terms to be fixed by the learned Court in seisin so as to ensure his presence during the trial.

11. Keeping in view the age of the Petitioner, it is directed that he shall appear before the jurisdictional Police Station once a week on such date and time to be fixed by the learned Trial Court for the next six months. And, thereafter, once every three months till conclusion of trial. Certification of such appearance shall be submitted to the learned Court in seisin.

12. Violation of any of the above terms and conditions shall entail cancellation of bail.

13. Accordingly, the BLAPL stands disposed of.

14. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge

Jina

Signature Not Verified

Digitally Signed
Signed by: JINA DIGAL
Reason: Authentication
Location: High Court of Orissa
Date: 06-May-2026 16:22:44

