



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3206 of 2026

Pinarul SK

....

Petitioner

Mr. Sk. Zafarulla, 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 G.R.(Special) Case No.37 of 2025, pending on the file of the learned Sessions Judge-cum-Special Judge, Cuttack, arising out of **Cuttack GRPS Case No.178 of 2025** for alleged commission of offences under Section 20(b)(ii)(C) of the NDPS Act.
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 case, the present BLAPL has been filed.

5. This is the second journey of the Petitioner to this Court in as much as in BLAPL No.13620 of 2025 by order dated 24.12.2025, the Petitioner was permitted to withdraw the said application with liberty to renew his prayer before the learned Trial Court after submission of charge sheet.

6. It is submitted by the learned counsel that the accusation is that the Petitioner along with the co-accused are jointly possessing contraband (Ganja) to the tune of 30.300kg (Thirty Kilograms and Three Hundred Grams) and were arrested from the railway platform resulting in institution of the aforementioned case.

7. It is stated that since the co-accused have been released on bail by common order dated 17.03.2026 in BLAPL Nos.1102 of 2026 & 1103 of 2026, the Petitioner may be released on bail on the ground of parity.

8. It is further submitted by the learned counsel for the Petitioner that conscious possession of contraband beyond commercial quantity cannot be readily attributed to the Petitioner and since the co-accused have been released on bail, referring to the dictum of the Apex Court in the case of **Satender**



Kumar Antil vrs. Central Bureau of Investigation and another reported in **(2022) 10 SCC 51** relating to parity, more particularly paragraph 98 thereof, Petitioner seeks release.

9. Learned counsel for the State opposes the prayer for bail in view of the bar contained in Section 37(1)(b)(ii) of NDPS Act.

10. Considering the release of the co-accused and the submission relating to the conscious possession, this Court directs the Petitioner to be released on bail on such terms to be fixed by the learned Court in seisin subject to verification of criminal antecedent of any nature from his parent police station.

11. If it comes to the fore that the Petitioner has any criminal antecedent, this order shall not be given effect to.

12. Accordingly, the BLAPL stands disposed of.

13. Taking note of the grievance of the Petitioner that there is undue delay in getting the criminal antecedent for which the co-accused are still in custody notwithstanding the order of this Court in the case of *Udhab Digal & Ors. vs. State of Odisha*, in ABLAPL No.1768 of 2025, the concerned SP Railways is requested to use his good offices to ensure that there is no delay in getting the criminal antecedents from the parent police station.



14. Registry is requested to send a copy of this order to the concerned SP.

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

(V. Narasingh)
Judge

Ayesha

Signature Not Verified

Digitally Signed
Signed by: AYESHA ROUT
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 06-May-2026 12:02:14

