



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.3877 of 2025

Prasant Khara @ Prasanta ... ***Petitioner***

Ms. M. Mohanty, Advocate

-versus-

State of Odisha ... ***Opposite Party***

Mr. R.B. Mishra, Addl. PP

CORAM:
JUSTICE G. SATAPATHY

ORDER(ORAL)
09.10.2025

Order No.
03.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is a bail application U/S.483 of the BNSS by the petitioner for grant of bail in connection with Malkangiri PS Case No.145 of 2025 corresponding to Special GR Case No.60 of 2025 pending in the Court of learned Sessions Judge-cum-Special Judge, Malkangiri, for commission of offence punishable U/Ss.20(b)(ii)(C)/29 of the NDPS Act, on the main allegation of possessing 21Kgs 700Grams of Contraband Ganja near the Bus stand of Malkangiri.
3. Heard, Ms. Monalisa Mohanty, learned counsel for the petitioner and Mr. R.B. Mishra, learned Additional Public Prosecutor in the matter and perused the record. Mr. Mohanty, however, specifically submits to withhold bail to the petitioner, if he is found involved in any other case(s) for commission of similar offence.
 - 3.1. Admittedly, the petitioner is in custody since 29.03.2025, but in the meantime, charge-sheet has



already been submitted against the petitioner, however, there are 17 charge-sheeted witnesses which would suggest the trial to take some more time. Right now the trial is yet to commence and it is claimed that the petitioner is not having any criminal antecedent of similar nature. In such view of the matter and taking into account the primacy of the constitutional mandate of right to speedy trial over the statutory embargo and there being no immediate prospect of trial, this Court considers that the conditions of Section 37 of NDPS may be dispensed with for the petitioner at this stage.

4. For the reason stated hereinabove and taking into account the submission of charge-sheet in the meantime and regard being had to the pre trial detention of the petitioner in custody, this Court without expressing any view on merit admits the petitioner to bail.

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.50,000/- (Rupees Fifty Thousand) with one solvent surety 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.

6. Accordingly, the BLAPL stands disposed of. In terms of the specific submission for the petitioner, the aforesaid order is subject to verification of the criminal antecedent of the petitioner and in case, any criminal



antecedent of similar nature is found against the petitioner, the benefit of this order shall not be extended to him without seeking leave of this Court.

7. Issue urgent certified copy of the order as per Rules.

(G. Satapathy)
Judge

Subhasmita

Signature Not Verified

Digitally Signed
Signed by: SUBHASHMITA DAS
Designation: Sr. Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 10-Oct-2025 11:08:12

