



IN THE HIGH COURT OF ORISSA AT CUTTACK

Tinku @ Sarfaraz Khan

(In BLAPL No.3394 of 2026)

Mhamjmad Asiph @ Md. Asif

(In BLAPL No.3451 of 2026)

... Petitioners

*Mr. J. Sahu, Advocate
(in both BLAPLs)*

-versus-

State of Orissa

... Opposite Party

Mr. P. Satpathy, Addl. PP

CORAM: JUSTICE G. SATAPATHY

Order No.

ORDER(ORAL) 05.05.2026

01.

1. Since these two bail applications arise out of one and same case record, the same are heard together and disposed of by this common order with the consent of the learned counsel for the parties.

2. These two bail applications are U/S.483 of BNSS Act by the petitioners for grant of bail in connection with Padampur PS Case No.231 of 2025 corresponding to Spl GR Case No.41 of 2025 pending in the Court of learned Special Addl. Sessions Judge, Padampur for commission of offences punishable U/Ss. 111(2)(b)/3(5) of BNS & Sec.21(c)/25 of NDPS Act r/w Sec.13 of Drug Cosmetic Act, on the main allegation of committing organized crime by trying to transport 720 numbers of 100 ml bottles of ONEREX Cough Syrup containing codeine phosphate, 5000 ampoules of Pentrazocine Lactate Injection and 12000 numbers of Nitrosun-10 Tablets in a Toyota Camry Car bearing Regd. No.OR-05-T-5400 by escorting such car in two motor-cycles.

3. Heard, Mr. Jagabandhu Sahu, learned counsel for the petitioners in both the BLAPLs and Mr. P. Satpathy, learned



Additional Public Prosecutor in these two matters and perused the record.

4. After having considered the rival submissions upon perusal of record, it is alleged by the prosecution that the petitioner- Tinku @ Sarfaraz Khan is having 10 criminal antecedents including two cases under NDPS Act and three criminal antecedents against the petitioner- Mhamjmad Asiph @ Md. Asif including one case under NDPS Act. The quantity of contraband article seized in this case are allegedly coming under commercial quantity and thereby, the petitioners have to satisfy the conditions of Sec.37 of NDPS Act to secure their liberty, but on a conspectus of materials placed on record together with the criminal antecedents of the petitioners as stated above, this Court does not find the petitioners to have satisfied the conditions of Sec.37 of NDPS Act, which is sine qua non for grant of bail to an accused for commission of offence under NDPS Act involving commercial quantity. In the aforesaid facts and circumstances, this Court does not consider proper to grant bail to the petitioners at this stage.

5. Hence, the bail applications of the petitioners namely Tinku @ Sarfaraz Khan in BLAPL No.3394 of 2026 and Mhamjmad Asiph @ Md. Asif in BLAPL No.3451 of 2026 stands rejected.

6. Accordingly, the BLAPLs stand disposed of. A soft copy of this order be immediately communicated to the concerned Court.

Signature Not Verified

Digitally Signed
Signed by: JAYAKRUSHNA DASH
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 06-May-2026 15:59:34

(G. Satapathy)
Judge