



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3447 of 2026

Amaresh Dash

.....

Petitioner

*Mr. Ramesh Chandra Maharana,
Advocate*

-Versus-

State of Odisha

....

Opposite Parties

Mr. Sonak Mishra, ASC

CORAM:

DR. JUSTICE SANJEEB K PANIGRAHI

ORDER

05.05.2025

Order No.

01.

F.I.R No.	Dated	Police Station	Case No. and Courts' Name	Sections
50	18.01.2026	Cuttack Sadar	G.R (Spl.) Case No.01 of 2026 pending in the Court of learned 1 st Additional Sessions Judge, Cuttack	U/S. 21(b) of the NDPS Act, 1985

1. This matter is taken up through hybrid arrangement.
2. The petitioner being in custody in connection with Cuttack Sadar P.S. Case No.50 of 2026, corresponding to G.R (Spl.) Case No.01 of 2026 pending in the Court of learned 1st Additional Sessions Judge, Cuttack registered for the alleged commission of

Signature Not Verified under Section 21(b) of the NDPS Act, 1985, has filed this petition for his release on bail.

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3. Learned counsel for the Petitioner submits that this Petitioner being arrested in the case is in custody since 18.01.2026 for being involved in possession of 10 grams of brown sugar. Nothing has been seized from the exclusive and conscious possession of the Petitioner. It is also submitted that the Petitioner being a permanent resident of the District of Cuttack having his home and hearth there and thus there is no chance of his fleeing from justice and the question of tampering the evidence does not arise. In view of all these, he contends that at this stage, the bar contained under Section-37 of the NDPS Act does no more stand on the way of grant of bail to the Petitioner. He, therefore, urges for consideration of grant of bail to the Petitioner.

4. Learned counsel for the State vehemently opposes the prayer for bail on the ground that the quantity of brown sugar seized from the Petitioner is more than the small quantity. Hence, he prays for rejection of the bail to the Petitioner.

5. Considering the facts and keeping in view the submission of learned counsel for the Petitioner; further keeping in view the materials on record as those stand against the Petitioner with other surrounding circumstances, this Court is of the view that there is no

requirement of keeping the Petitioner inside the custody any further. Accordingly, this Court directs that the Petitioner be





released on bail by the Court *in seisin* over the matter on some stringent terms and conditions with further conditions that:

- i. the petitioner shall appear before the local Police Station on 1st Monday of every month between 10 A.M. to 1.00 P.M. till the conclusion of the trial;
- ii. the Petitioner shall not indulge himself in any criminal activities in future;
- iii. the Petitioner shall not tamper the evidence of the prosecution evidence in any manner;

Violation of any of the above conditions shall entail cancellation of the bail.

6. The BLAPL is, accordingly, disposed of.

(Dr. Sanjeeb K Panigrahi)
Judge

Gitanjali