



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3625 of 2026

**1. Nakula Kanhar
2. Sanjay Mukhi**

.... **Petitioner(s)**
Mr. A. Tripathy,
Advocate

-versus-

State of Odisha

.... **Opp. Party(s)**

Ms. S. Devi, ASC

CORAM:

JUSTICE SIBO SANKAR MISHRA

Order
No.

01.

ORDER
05.05.2026

1. The petitioners are accused in connection with Ghantapada P.S. Case No. 56 of 2026 corresponding to Special (NDPS) Case No. 99 of 2026 registered on the allegation of the alleged commission of offence punishable under Sections 20(b)(ii)(C) of the NDPS Act, pending in the court of the learned Addl. Sessions Judge-cum-Special Judge, Kantamal.

2. The petitioners had approached the learned Addl. Sessions Judge-cum-Special Judge, Kantamal in Special (NDPS) Case No. 99 of 2026 praying for grant of bail. The learned Court below vide its order dated 20.03.2026 rejected the bail application of the petitioners. Being aggrieved, the petitioners have filed the present petition under Section 483 of BNSS, 2023 praying for enlargement on bail.

3. Learned counsel for the petitioners, on instruction from the petitioners, submits that, except the present bail



application, no other bail application of the petitioners is pending in any other Court relating to the aforesaid F.I.R.

4. The prosecution case as per the F.I.R. is that the informant M. C. Tikri, alleged that on 15.03.2026 while the he along with his staff were performing patrolling duty near Tel river bridge Chhaka Ghantapada at about 9 AM he notice that three Motorcycles were coming from Narayanprasad side towards Bolangir. They detained one motorcycle, but on seeing the police team from a distance the rider and the pillion rider of other two motorcycles tried to escape from the spot. Thereafter, they chased and could able to apprehend them. On verification, they found one jarry bag was kept in each motorcycles containing contraband ganja and they admitted that they are transporting the ganja for sale. After completion of the formalities of search and seizure of total 24 Kg of contraband excluding the weight of jarry bags, NDPS case has been initiated.

5. Drawing my attention to paragraph-8 of the bail application, Mr. Tripathy submits that the petitioners have no criminal antecedents. It is submitted that there is recovery of only 8 kg. of contraband ganja from the petitioner and petitioners have been in custody since 15.03.2026.

6. Learned counsel for the State opposed the prayer for bail.

7. Regard being had to the nature of allegation, quantity of contraband ganja recovered and the custody of the petitioners since 15.03.2026, I am inclined to enlarge the accused-Petitioner on bail.

8. Hence, the Petitioners are directed to be released on bail



by the learned Court in seisin over the matter in the aforesaid case on such terms and conditions as it would deem just and proper, subject to the following additional conditions:

(i) The petitioners shall appear before the I.I.C., of the concerned Police Station on every last Sunday of the month between 10.00 A.M. and 12.00 Noon for at least three months;

(ii) They shall not leave the jurisdiction of the trial Court till the disposal of the trial;

(iii) They shall appear before the trial Court on each date on which the case is posted for trial;

(iv) They shall not tamper with the evidence in any manner whatsoever;

(v) They shall not commit any offence while on bail, and

(vi) They shall be released on bail subject to verification of similar type of antecedents.

In the event, the petitioners are found wanting for violation of any of the bail conditions imposed by this Court or the trial Court even on a single occasion, the prosecution is at liberty to move appropriate application before the Court below for cancellation of the concession of bail granted by this Court. If such application is filed, the trial Court should decide the application on its own merit.

9. The BLAPL is accordingly disposed of.

(S.S. Mishra)
Judge

Signature Not Verified

Digitally Signed
Signed by: ASHOK KUMAR JAGADEB
MOHAPATRA
Reason: Authentication
Location: High Court of Orissa
Date: 05-May-2026 18:24:07

