



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4234 of 2025

Luka Majhi

...

Petitioner

Mr. S.K. Dash, Advocate

-versus-

State of Odisha

...

Opposite Party

Mr. A. Pradhan, 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 an application U/S.483 of BNSS by the petitioner for grant of bail in connection with Mohana P.S. Case No.71 of 2022 corresponding to G.R. Case No.56 of 2022 pending in the file of learned Sessions Judge-cum-Special Judge, Gajapati, Parlakhemundi, for commission of offences punishable U/Ss. 20(b)(ii)(C)/25/29 of NDPS Act, on the allegation of transporting 1234Kgs 100 Grams of Contraband Ganja in a Bolero Max Pick up van.
3. Heard, Mr. Soubhagya Kumar Dash, learned counsel for the petitioner and Mr. A. Pradhan, learned Addl. PP in the matter and perused the record.
4. It cannot be denied that the petitioner is also involved in Mohana P.S. Case No.146 of 2024 for commission of offence punishable U/Ss.



20(b)(ii)(C)/25/29 of NDPS Act, but no person accused of an offence under NDPS Act involving commercial quantity shall be released on bail where the Public Prosecutor opposes the bail application of the petitioner; unless the Court is satisfied that there are reasonable grounds for believing that the accused has not committed the offence and he will not commit offence while on bail. The involvement of the petitioner in another case of similar nature is palpable from the record and thereby, he cannot be said to have satisfied the conditions of Sec.37 of NDPS Act.

5. In such view of the matter and after having considered the rival submissions and taking into consideration the nature and gravity of the offence as alleged against the petitioner vis-à-vis the allegation sought to be brought against him and regard being had to the seizure of such huge quantity of Contraband Ganja to the tune of 1234Kgs 100Grams, which is well above the commercial quantity from the vehicle allegedly in occupation of the petitioner and the alleged involvement of the petitioner in another case of similar nature which suggests his failure to satisfy the conditions of Section 37 of NDPS Act, this Court is not inclined to grant bail to the petitioner.

Hence, the prayer for bail of the petitioner stands rejected. Accordingly, the BLAPL stands disposed of.



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

(G. Satapathy)
Judge

S.Sasmal

Signature Not Verified

Digitally Signed
Signed by: SUBHASHMITA SASMAL
Designation: Jr. Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 10-Oct-2025 10:55:49

