



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3784 of 2026

Basistha Padhan *Petitioner(s)*
Mr. Ajit Kumar Raut, Adv.
-versus-
State of Odisha *Opposite Party(s)*
Smt. Sarita Moharana, ASC

CORAM:
HON'BLE DR.JUSTICE SANJEEB K PANIGRAHI

Order No.

ORDER

01.

05.05.2026

F.I.R. No.	Dated	Police Station	Case No. and Courts' Name	Sections
0074	16.03.2026	Banaharpali	C.T.(Spl) Case No.16 of 2026 arising out of Banaharpali P.S. Case No.74 of 2026 pending before the Court of learned Special Judge, Jharsuguda	Sections 20(b)(ii)(B) of the N.D.P.S Act

1. This matter is taken up through hybrid arrangement.
2. Heard learned counsel for the Petitioner and learned counsel for the State.
3. The Petitioner being in custody in connection with C.T.(Spl) Case No.16 of 2026 arising out of Banaharpali P.S. Case No.74 of 2026 pending before the Court of learned Special Judge, Jharsuguda registered for the alleged commission of offences under Sections



20(b)(ii)(B) of the N.D.P.S Act, has filed this application for his release on bail.

4. The brief fact of the case is that on 16.03.2026 at about 8 A.M., during course of patrolling duty near Phata Chowk area, the Inspector of Police, Banharpali Police Station on getting credible information regarding illegal transportation of contraband Ganja, detained the vehicle bearing registration No.OD-23-N-7455 on suspicion which was being driven by the co-accused person at the relevant point of time. The Petitioner was only the pillion rider in the said motorcycle. On search, the Police personnel recovered 3.914 kilograms of contraband Ganja from the bag loaded on the said vehicle. Accordingly, on completion of investigation and all the formalities, the Petitioner along with the co-accused person were taken into custody. The Petitioner has been languishing in custody since 16.03.2026.
5. Learned counsel for the Petitioner contends that though nothing has been seized from the conscious possession of the present Petitioner, he has been entangled in this case only on suspicion. The Petitioner was only the pillion rider in the said motorcycle at the relevant point of time. Moreover, the quantity of contraband ganja alleged to have been seized from the conscious possession of the present Petitioner comes within the



purview of below commercial quantity. He, accordingly, prays for permitting the Petitioner to be released on bail.

6. Learned counsel for the State vehemently opposes the prayer for bail of the present Petitioner. She further submits that such type of offences is not tolerable in a law abiding society. She, accordingly, prays for dismissal of this BLAPL.
7. Considering the submissions made on behalf of both the parties, this Court without going into the merits of the case, directs the court in *seisin* over the matter to release the present Petitioner on bail in the aforesaid case on some stringent terms and conditions.
8. This BLAPL is, accordingly, disposed of.

(Dr. Sanjeeb K Panigrahi)
Judge

Ayaskanta