



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3800 of 2026

Sandheswar Singh

..... *Petitioner(s)*

Mr. Himanshu Sekhar Mishra, Adv.

-versus-

State of Odisha

..... *Opposite Party*

Ms. Gayatri Patra, ASC

CORAM:

DR. JUSTICE SANJEEB K PANIGRAHI

ORDER

08.05.2026

Order No.

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F.I.R. No.	Dated	Police Station	Case No. and Courts' Name	Sections
334	05.07.2024	Barkot	Special G.R. Case No.16 of 2024 (arising out of C.T. Case No.10 of 2024) pending in the court of learned Sessions Judge, Deogarh	Sections 20(b)(ii)(C) of NDPS Act.

1. This matter is taken up through hybrid arrangement.





2. Heard learned counsel for the Parties.
3. The Petitioner being in custody in Barkot P.S. Case No. 334 of 2024 corresponding to Special G.R. Case No.16 of 2024 (arising out of C.T. Case No.10 of 2024) pending in the court of learned Sessions Judge, Deogarh, registered for the alleged commission of offences under Section 20(b)(ii)(C) of NDPS Act, has filed this petition for his release on bail.
4. The brief fact of the case is that on 04.07.2024 at 06.05 P.M IIC of Barkote P.S along with other staffs while on patrolling duty towards the villages Gurusang, Thianal, Mandasila and Golabandha area, at about 11.10 P.M near Thianal Chhak, they found one Swift Dzire Car bearing Registration No. OD-19F-8399 was parked on the road side in broken condition loaded with some articles in plastic bags. It was also found that smell of ganja was coming out from the said plastic bags. The said car was locked from outside and the said vehicle was in abandoned condition for a long time. It was lying on the road side for quite sometime without use. Thereafter, on 05.07.2024 the lock of the said car was broken and on search they found and seized two numbers of big packets and 65 numbers of small packets total 115 kg 557 grams of Ganja wrapped with cello tape in presence of Executive Magistrate and witnesses. It further reveals from the record that the



owner of the said Swift Dzire Car bearing Registration No.OD-19F-8399 is the accused/petitioner Sandheswar Singh. Hence, this case.

5. Learned counsel for the Petitioner submits that nothing has been seized from the conscious possession of the present Petitioner. He further contends that the vehicle was parked on the road side in a broken condition. When the police team reached at the spot, the vehicle was locked and no one was inside. But, when they opened the door of the car, they found 115 Kg. Ganja was inside the car. He further contends that after ascertaining from the RTO, they found the Petitioner is the owner of the said vehicle.
6. Learned counsel for the Petitioner further submits that the Petitioner is in custody since 08.09.2025. In the meantime, charge-sheet has already been submitted. Hence, he submits that, the prayer of the present Petitioner may be allowed.
7. Learned counsel for the State vehemently opposes the prayer for bail stating that the quantity of ganja seized is clearly above the commercial quantity prescribed under the Act which bars granting of bail.
8. Considering the facts and circumstance of the case and the fact that though the Petitioner is the owner of the car and car was parked in damaged condition and nothing has been



seized from the conscious possessions of the Petitioner, the alleged offence cannot be attributed against the Petitioner. Accordingly, without going into the merit of the case and based on the facts and circumstances of the case, it is directed that the Petitioner be released on bail in the aforesaid case with some stringent terms and conditions as deemed just and proper by the learned court in *seisin* over the matter with further conditions that:-

- i. The Petitioner shall appear before the local Police Station on every alternate Sunday between 10.00 A.M. to 12.00 P.M. till conclusion of the trial;
- ii. The Petitioner shall appear before the learned court in *seisin* over the matter on each date of posting of the case;
- iii. The Petitioner shall not indulge himself in any criminal offence while on bail.
- iv. The Petitioner shall not tamper the evidence of the prosecution evidence in any manner.

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

10. The BLAPL is, accordingly, disposed of.

(*Dr. Sanjeeb K Panigrahi*)
Judge