



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.3860 of 2026

Deepak Barman

.....

Petitioner

Represented by Adv. -
Sarat Kumar Jena

-versus-

State of Odisha

.....

Opposite Party

Represented by Adv. -
Mr. U.C. Jena, ASC

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR
MOHAPATRA

ORDER
06.05.2026

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel appearing for the Petitioner and learned Additional Standing Counsel appearing for the State-Opposite Party. Perused the materials placed before this Court.
3. The present bail application under Section 439 of Cr.P.C. has been filed by the Petitioner for regular bail in connection with GRP Sambalpur P.S. Case No-9/2026, pending in the Court of learned District and Sessions-cum-Judge, Special Court ,Sambalpur for alleged commission of offence punishable under Sections 20(b)(ii)(c) of the N.D.P.S. Act.
4. It is stated by the learned counsel for the Petitioner that the Petitioner is in custody since 18.01.2026. In the meantime, the investigation has progressed substantially and the charge sheet



will be filed soon. So far the prosecution allegation is concerned, learned counsel for the Petitioner contended that although 25kg of contraband Ganja was recovered from three accused persons, however, so far the Petitioner is concerned the seizure list filed along with the bail application reveals that a total quantity of 7.5kg of contraband Ganja was recovered from the possession of the present Petitioner while he was in the railway station. Learned counsel for the Petitioner further submitted that taking into consideration the quantity of contraband ganja recovered from the possession of the present Petitioner, the bar under Section 37 of the NDPS Act would not be attracted to the Petitioner's case. He further submitted that the Petitioner does not have any similar criminal antecedents and that he belongs to local, therefore, there is no chance of his absconding.

6. Learned counsel for the State on the other hand objected to the release of the Petitioner on bail on the ground of the gravity and seriousness of the allegation. He further submitted that since the investigation is still on, the release of the Petitioner on bail is bound to cause a delay in conclusion of the investigation. The learned counsel for the Petitioner further objected to the release of the petitioner on the ground that the Petitioner does not belong to the State of Odisha. Therefore, there is every likelihood that in the event he is released on bail, he might abscond from justice. On such ground learned counsel for the State objected to the release of the Petitioner on bail.

7. Having heard the learned counsel appearing for the



respective parties, taking note of the surrounding facts and circumstances and keeping in view the fact that since a total of 7.5kg of contraband ganja was allegedly recovered from the possession of the present Petitioner the bar under Section 37 may not be application to the case of the present Petitioner, that the petitioner has been in custody since 18.01.2026, that the Petitioner does not have any criminal antecedents, although the Petitioner belongs to the State of Madhya Pradesh, this Court is inclined to release the Petitioner on bail subject to certain stringent conditions.

8. Accordingly, it is directed that the Petitioner be released on bail on furnishing a bail bond of Rs.40,000/- (Rupees forty thousand) with two local solvent sureties each for the like amount to the satisfaction of the Court in seisin over the matter subject to the following terms and conditions:

I) The Petitioner shall also file an affidavit before the Trial Court indicating therein his residential details and other details like Aadhar No., Phone No. before the jurisdictional police station, and the release of the Petitioner shall be subject to verification of such details as would be furnished by any relative of the Petitioner in the shape of an affidavit.

II) he shall not be involved in any offence of similar nature while on bail;

III) he shall not tamper with the prosecution evidence or try to threaten or influence the witnesses in any manner



whatsoever;

IV) he shall not make any default in attending the court during trial on each date without fail;

V) he shall appear before the concerned Police Station once in a fortnight preferably on 'Sunday' in between 10.00 A.M. to 1.00 P.M. till conclusion of the trial.

Violation of any of the terms and conditions shall entail cancellation of bail.

9. It is open for the Court in seisin over the matter to impose any other conditions as may be deemed just and proper.

10. It is further directed that the bail granted to the Petitioner is subject to the condition that the court below shall verify whether the Petitioner is having any criminal antecedent of similar nature. In the event it is found that the Petitioner is having any similar criminal antecedent, this bail order shall automatically stand revoked.

11. The BLAPL is, accordingly, disposed of.

(Aditya Kumar Mohapatra)

Judge

Sipra

Signature Not Verified

Digitally Signed
Signed by: SIPRA MUDULI
Reason: Authentication
Location: High Court of Orissa,
Cuttack
Date: 10-May-2026 12:06:32