



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.4975 of 2026

Hari Raita

...

Petitioner

*Mr. J.K.Padhi, proxy counsel on behalf of
Mr.S.K.Nayak, Advocate*

-versus-

State of Odisha

...

Opposite Party

Mr. T.K.Acharya, Addl. PP

CORAM: JUSTICE G. SATAPATHY

ORDER(ORAL):24.06.2026

Order No.

01.

1. This is the bail application U/S.483 of the BNSS by the petitioner for grant of bail in connection with Gunupur PS Case No.246 of 2025 corresponding to TR Case No.73 of 2025 pending in the Court of learned Addl. Sessions Judge-cum-Special Judge, Gunupur, for commission of offence punishable U/S.20(b)(ii)(C) of the NDPS Act, on the main allegation of transporting 22Kgs of Contraband Ganja in a motor cycle bearing Regd. No. OD-18D-0727, alongwith co-accused person.

2. Heard, Mr. Jayanta Kumar Padhi, learned proxy counsel appearing on behalf of Mr.Suchit Kumar Nayak, learned counsel for the petitioner and Mr. T.K.Acharya, learned Additional Public Prosecutor in the matter and perused the record. On being queried about the criminal antecedent of the petitioner, Mr. Padhi volunteers to withhold bail to the petitioner, if he is found to have any criminal antecedent for commission of offence under NDPS Act.

3. Admittedly, the petitioner is renewing his prayer for bail after submission of charge sheet, but in the meantime co-accused Ashish Raita has already been



granted bail by a Co-ordinate Bench of this Court in BLAPL No. 13372 of 2025. Further, it is claimed that the petitioner is not having any criminal antecedent. In the aforesaid facts and situation and on going through the materials placed on record, the petitioner would be considered to have satisfied the conditions of Sec. 37 of NDPS Act, if he is not having any criminal antecedent under NDPS Act.

4. For the reasons stated hereinabove and taking into account the custody period of the petitioner, this Court without expressing any view on merit, admits the petitioner to bail, but subject to verification of his criminal antecedent for commission of offence under NDPS Act.

5. Hence, the bail application of the petitioner stands allowed and the petitioner is allowed to go on bail on furnishing bail bonds of Rs.1,00,000/- (Rupees One Lakh) with two solvent sureties each for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper by it.

In view of the specific submission as advanced for the petitioner, the benefit of this order shall not be extended to the petitioner if he found to have any criminal antecedent under NDPS Act.

6. Accordingly, the BLAPL stands disposed of. A soft copy of this order be immediately communicated to the concerned Court, who shall afterwards communicate the same to the concerned Jail through e-mail for reference.

(G. Satapathy)
Judge