



IN THE HIGH COURT OF ORISSA AT CUTTACK

Satyam Swain

(In BLAPL No.4862 of 2026)

Sanjib Meher

(In BLAPL No.5002 of 2026)

Satyam Nag

(In BLAPL No. 5005 of 2026)

Trinath Behera @ Tinu & others

(In BLAPL No. 5705 of 2026)

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Petitioners

*Mr.D.P.Mishra, Advocate
(in BLAPL No.4862 of 2026)*

*Mr. P.S.Das, proxy counsel
on behalf of Mr.M.Das, Advocate
(in BLAPL No.5002 of 2026)*

*Mr.S.Nayak, proxy counsel
on behalf of Ms.S.Dash, Advocate
(in BLAPL No. 5005 of 2026)*

*Mr.R.K.Das, Advocate
(in BLAPL No. 5705 of 2026)*

-versus-

State of Odisha

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Opposite Party

Mr. P.Satapathy, Addl. PP

CORAM: JUSTICE G. SATAPATHY

ORDER(ORAL)22.06.2026

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Since these four bail applications arise out of one and same case record, the same are heard together and disposed of by this common order with the consent of the learned counsel for the parties.
3. These are bail applications U/S.483 of BNSS by the petitioners for grant of bail in connection with Bareipali PS Case No. 195 of 2025 corresponding to TR



Case No.138 of 2025 pending in the file of learned Sessions Judge-cum-Judge(Special Court), Sambalpur, for commission of offences punishable U/S.21(C)/29 of NDPS Act, on the main allegation of transporting 5100 bottles of Eskuf cough syrup each measuring 100ml. containing codeine phosphate.

4. Heard, Mr. Dibya Prakash Mishra, learned counsel appearing virtually for the petitioner in BLAPL No.4862 of 2026; Mr.Partha Sarathi Das, learned proxy counsel on behalf of Mr.Mithun Das, learned counsel for the petitioner in BLAPL No. 5002 of 2026; Mr.Saikiran Nayak, learned proxy counsel on behalf of Ms.Sweta Dash, learned counsel for the petitioner in BLAPL No. 5005 of 2026; Mr.Rakesh Kumar Das, learned counsel appearing virtually for the petitioners in BLAPL No. 5705 of 2026; and Mr. P.Satapathy, learned Additional Public Prosecutor in the matter and perused the record.

5. Admittedly, the petitioner-Satyam Swain was neither apprehended from the spot nor was found in conscious possession of Contraband article and no criminal antecedent has been reported against the petitioner-Satyam Swain, so also against the petitioner-Sanjib Meher, whereas the petitioner-Satyam Nag is reported to have 14 criminal cases and he has not disclosed his criminal antecedent in his bail application. On the other hand, the petitioner-Trinath Behera @ Tinu in BLAPL No. 5705 of 2026 is stated to be involved in 11 criminal cases, but learned State counsel brings to the



notice of the Court that he is having 13 criminal antecedents and the petitioner-Rabi Das @ Rabi Sahu is stated to be allegedly involved in 03 criminal cases and the petitioner- Papi Bibhar is stated to be allegedly involved in 09 criminal cases. The quantity of Contraband article seized in this case appears to be commercial quantity and, therefore, the petitioners are required to be satisfied the conditions of Sec. 37 of NDPS Act. On a careful scrutiny of the materials placed on record and taking into account the criminal antecedents of the petitioners-Satyam Nag, Trinath Behera @ Tinu, Rabi Das @ Rabi Sahu & Papi Bibhar, this Court does not find them to have satisfied the conditions of Sec. 37 of NDPS Act which is sine qua non for grant of bail in cases under NDPS Act involving commercial quantity. This Court, however, finds the petitioners-Satyam Swain and Sanjib Meher to have satisfied the conditions of Sec. 37 of NDPS Act, more particularly when no criminal antecedent is reported against them and they are not allegedly apprehended from the spot.

6. In the aforesaid facts and situation and taking into account the materials placed so placed on record and keeping in view grant of bail to co-accused Md.Sadam Hussain @ Babu (In BLAPL No.3986 of 2026), Anil Yadav(In BLAPL No. 2631 of 2026), Hasan Raza @ Zimi(In BLAPL No. 4012 of 2026), Aman Deep & Sudarsan Rout @ Sonu(In BLAPL No. 4109 of 2026), Pitabas Sahu & Durga Deep(In BLAPL No. 4386 of



2026), this Court while not being inclined to grant bail to petitioners- Satyam Nag(In BLAPL No. 5005 of 2026) and Trinath Behera @ Tinu, Rabi Das @ Rabi Sahu & Papi Bibhar(In BLAPL No. 5705 of 2026) considers it proper to grant bail to petitioners- Satyam Swain & Sanjib Meher (In BLAPL Nos. 4862 & 5002 of 2026).

7. Hence, the prayer for bail of the petitioners Satyam Nag in BLAPL No. 5005 of 2026 and the petitioner-Trinath Behera @ Tinu, Rabi Das @ Rabi Sahu & Papi Bibha in BLAPL No. 5705 of 2026 stand rejected, whereas the prayer for bail of the petitioners Satyam Swain & Sanjib Meher (In BLAPL Nos. 4862 & 5002 of 2026) stands allowed and they are 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.

8. Accordingly, these four BLAPLs stand 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