



IN THE HIGH COURT OF ORISSA AT CUTTACK

Surendra Kumar Das @ Unalu

(In BLAPL No.5096 of 2026)

Mir Jamil Alli @ Kala Babu & Others

(In BLAPL No.5531 of 2026)

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Petitioners

Mr. P.K. Jena, Advocate
(in BLAPL No.5096 of 2026)

Mr. A.K. Subudhi, Advocate
(in BLAPL No.5531 of 2026)

-versus-

State of Orissa

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Opposite Party

Mr. M.R. Patra, Addl. PP

CORAM: JUSTICE G. SATAPATHY

ORDER(ORAL)09.07.2026

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Since these two 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 two bail applications U/S.483 of BNSS by the petitioners for grant of bail in connection with Khandagiri PS Case No.832 of 2025 corresponding to TR Case No.694 of 2025 pending in the Court of learned 3rd Addl. Sessions Judge, Khurda at Bhubaneswar, for commission of offences punishable U/Ss. 20(b)(ii)(C) of the NDPS Act.
4. The allegation against the petitioners in precise is that on the relevant date and time, on receipt of reliable information, the raiding party detained two Swift Dzire Car bearing Regd. No.OD-02-DJ-3336 and OD-02-BN-9435 and on verification, three occupants were found in each of



the two Dzire cars and the police officer on further verification found 21Kgs and 400Grams of Contraband Ganja and 21.500Kgs of Contraband Ganja from the respective two swift Dzire Cars. The petitioner Surendra Kumar Das @ Unalu in BLAPL No. 5096 of 2026 was found to be the occupant along with two other co-accused persons in one car and similarly, the petitioners Mir Jamil Alli @ Kala Babu, Radhakanta Sahoo @ Bijay and Tukuna Behera in BLAPL No.5531 of 2026 were found to be the occupants of the other Dzire car. On completion of formality, the petitioners were arrested along with co-accused persons and they were taken into custody on 15.11.2025 and subsequently, charge-sheet was filed against the petitioners and others for commission of offences punishable U/S.20(b)(ii)(C) of the NDPS Act.

5. Heard, Mr. Prasanta Kumar Jena, learned counsel for the petitioner in BLAPL No.5096 of 2026 and Mr. Akshaya Kumar Subudhi, learned counsel for the petitioners in BLAPL No.5531 of 2026 and Mr. M.R. Patra, learned Addl. PP in these matters and perused the record.

6. After having considered the rival submissions upon perusal of record, it appears that separate quantity of contraband ganja was recovered from each of the two swift dzire cars, but there are three occupants each in the aforesaid two Dzire Cars. Besides, the quantity of contraband ganja allegedly recovered from each of the Dzire car appears to be just more than commercial quantity, but whatever may be the situation, since the



petitioners were allegedly found in possession of commercial quantity of contraband ganja, they have to satisfy the conditions of Sec.37 of NDPS Act. In the meantime, charge-sheet has already been submitted and trial is yet to commence and there are 14 charge-sheeted witnesses and, therefore, the trial would definitely take some time. What is more important is that the petitioner-Radhakanta Sahoo @ Bijay in BLAPL No.5531 of 2026 is having similar criminal antecedent. On the other hand, the petitioners are in custody since 15.11.2025. In the aforesaid facts and circumstances and on going through the materials placed on record and keeping in view the circumstances of the implication of the petitioners, all the petitioners except the petitioner- Radhakanta Sahoo @ Bijay in BLAPL No.5531 of 2026 would be considered to have satisfied the conditions of Sec.37 of NDPS Act, since the petitioner-Radhakanta Sahoo @ Bijay is found to have been implicated in another case of similar nature.

7. For the reasons stated hereinabove and taking into consideration the materials placed on record together with the pre-trial detention of the petitioners in custody, this Court while not being inclined to grant bail to the petitioner Radhakanta Sahoo @ Bijay in BLAPL No.5531 of 2026, considers it proper to grant bail to Surendra Kumar Das @ Unalu in BLAPL No.5096 of 2026 and Mir Jamil Alli @ Kala Babu & Tukuna Behera in BLAPL No.5531 of 2026.

8. Hence, the bail application of the petitioner Radhakanta Sahoo @ Bijay in BLAPL No.5531 of 2026



stands rejected, whereas the bail application of the petitioners Surendra Kumar Das @ Unalu in BLAPL No.5096 of 2026 and the petitioners Mir Jamil Alli @ Kala Babu & Tukuna Behera in BLAPL No.5531 of 2026 stands allowed and the petitioners Surendra Kumar Das @ Unalu, Mir Jamil Alli @ Kala Babu and Tukuna Behera are accordingly allowed to go on bail on furnishing bail bonds of Rs.1,00,000/- (Rupees One Lakh) only 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.

9. Accordingly, the BLAPL Nos.5096 & 5531 of 2026 stand disposed of. Issue urgent certified copy of the order as per Rules.

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

Jayakrushna