



IN THE HIGH COURT OF ORISSA AT CUTTACK

M. Thirumoorthy

...

Petitioners

(In BLAPL No. 4991 of 2026)

R. Saran

(In BLAPL No. 5951 of 2026)

Mr. R.L. Pattnaik, Advocate

(In BLAPL No. 4991 of 2026)

Mr. S. Manohar, Advocate

(In BLAPL No. 5951 of 2026)

-versus-

State of Odisha

...

Opposite Party

Mr. R.B. Mishra, Addl. PP

CORAM: JUSTICE G. SATAPATHY

Order No.

ORDER(ORAL) : 24.06.2026

01.

1. 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.

2. These are bail applications U/S.483 of BNSS by the petitioners for grant of bail in connection with Chitrokonda P.S. Case No. 117 of 2025 corresponding to Special GR Case No.97 of 2025 pending in the file of learned Sessions Judge-Cum-Special Judge, Malkangiri, for commission of offence punishable U/S.20(b)(ii)(C) of the NDPS Act, on the main allegation of jointly transporting 50Kgs of Contraband Ganja in two Motorcycles i.e. one black and blue colour Pulsar-150 bearing Regd. No.AP-39-UH-2784 and the other black colour Yamaha R15 Regd. No.AP-13-Y-8562.

3. Heard Mr. Rajib Lochan Pattnaik, learned counsel for the petitioner in BLAPL No. 4991 of 2026, Mr. Shyam Manohar, learned counsel appearing virtually for the



petitioner in BLAPL No. 5951 of 2026 and Mr. R.B. Mishra, learned Addl. PP in these matters and perused the record. On being queried about the criminal antecedents of the petitioners, Mr. Pattnaik & Manohar jointly volunteer to withhold bail to the petitioners, if they are found to have any criminal antecedent of similar nature for commission of offence under NDPS Act.

4. Admittedly, the petitioners were apprehended and taken into custody on 26.07.2025, but in the meantime, charge-sheet has already been submitted, however, the trial is yet to be concluded, but there are 15 charge sheeted witnesses and, therefore, the trial would definitely take some time. It is, however, claimed that the petitioners are not having any criminal antecedent of similar nature. Even otherwise, if the allegation is taken at face value, it is disclosed about transportation of 25Kgs of Contraband Ganja each by the individual petitioner separately on two Motorcycles. In view of the aforesaid facts and circumstances of the case and on going through the materials placed on record and there being no criminal antecedent reported against the petitioners, the petitioners would be considered to have satisfied the conditions of Section 37 of NDPS Act, if they are not having any criminal antecedent for commission of offences under NDPS Act.

5. For the reasons stated hereinabove and taking into account the custodial period of the petitioners and grant of bail to co-accused S. Kalai Selvan by this Court in BLAPL No. 4408 of 2026, this Court without expressing any view



on merit, admits each of the petitioners to bail, but subject to verification of their criminal antecedents for similar nature for commission of offence under NDPS Act.

6. Hence, these two bail applications of the petitioners namely M. Thirumoorthy (BLAPL No. 4991 of 2026) and R. Saran (BLAPL No. 5951 of 2026) stand allowed and each of the petitioners is allowed to go on bail on furnishing bail bonds of Rs.1,00,000/- (Rupees One Lakh) each with two solvent sureties 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 advanced for the petitioners, the benefit of the aforesaid order shall not be extended to the concerned petitioner(s), if he/they is/are found to have criminal antecedent(s) of similar nature for commission of offence under NDPS Act.

7. Accordingly, these BLAPLs 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