



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.5109 of 2026

Shaikh Mohammad Fawad @ SF. ... ***Petitioner***
Mohammad

Mr. S.K. Dash, Advocate

-versus-

State of Odisha ***... Opposite Party***

Mr. S.C. Pradhan, Addl. PP

CORAM: JUSTICE G. SATAPATHY

Order No.

ORDER(ORAL) 09.07.2026

01.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).

2. This is an application U/S.483 of BNSS Act by the petitioner for grant of bail in connection with PR Case No.268 of 2025-26 corresponding to 2(a) CC Case No.03 of 2026 pending in the Court of learned Special Judge-cum-Sessions Judge, Gajapati, Paralakhemundi for commission of offences punishable U/S. 20(b)(ii)(B) of the NDPS Act, on the main allegation of transporting 12Kgs of contraband ganja.

3. Heard, Mr. Soubhagya Kumar Dash, learned counsel for the petitioner and Mr. S.C. Pradhan, learned Additional Public Prosecutor in the matter and perused the record.

4. After having considered the rival submissions and taking into account the materials placed on record and regard being had to the pre-trial detention of the Petitioner in custody since 15.02.2026 with



submission of PR in the meantime and keeping in view the other circumstances on record in entirety including the well-recognized principle “bail is the rule, but jail is the exception” and the quantity of contraband ganja allegedly seized in this case being for intermediate quantity, which does not attract the provision of Section 37 of NDPS Act, this Court without expressing any view on merit admits the Petitioner to bail.

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.50,000/- (Rupees Fifty Thousand) only with one solvent surety 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.

6. Accordingly, the BLAPL stands disposed of.

7. 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