



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.6696 of 2026

Sanjaya Bebiria

...

Petitioner

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

-versus-

State of Orissa

...

Opposite Party

Mr. S.C. Pradhan, 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. This is a bail application U/S.483 of the BNSS by the petitioner for grant of bail in connection with Padmapur PS Case No.88 of 2024 corresponding to TR Case No. 84 of 2024 pending in the Court of learned Addl. Sessions Judge-Cum-Special Judge, Gunupur, for commission of offence punishable U/S.20(b)(ii)(C)/ 25/29 of the NDPS Act, on the main allegation of transporting net weight of 72Kgs of Contraband Ganja, along with co-accused persons in three bags in the Hyundai Xcent car bearing Regd. No.OD-20A-1810.

3. Heard, Mr. Debraj Barik, learned proxy counsel appearing on behalf of Mr. Suchit Kumar Nayak, learned counsel for the petitioner and Mr. S.C. Pradhan, learned Additional Public Prosecutor in the matter and perused the record. On being queried about the criminal antecedent of the petitioner, Mr. Barik volunteers to withhold bail to the petitioner, if he is found to have any



criminal antecedent for commission of offence under NDPS Act.

4. After having considered the rial submissions upon perusal of record, it appears that the petitioner is in custody since 17.06.2024, but only 07 out of 24 charge sheeted witnesses have been examined in the meantime and the trial is yet to be concluded. Besides, the petitioner is claimed to have no criminal antecedent. In this aforesaid situation, it appears to the Court that the trial would definitely take some more time; but the petitioner is in custody for little more than two years. In the aforesaid circumstance and on going through the materials placed on record together with evidence of witnesses and absence of any criminal antecedent against the petitioner, the conditions of Sec. 37 of NDPS Act may be dispensed with for the petitioner at this stage, especially when the trial has not yet been concluded even after two years of custody of the petitioner.

5. 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.

6. 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 is found to have any criminal antecedent for commission of offences under NDPS Act.

7. 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

Jayakrushna