



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.11559 of 2025

Bhagu Majhi

... ***Petitioner***
Mr. A.P. Bose, Advocate

-versus-

State of Odisha

... ***Opposite Party***
Mr. P. Satpathy, Addl. PP

CORAM:
JUSTICE G. SATAPATHY

ORDER(ORAL)
23.02.2026

Order No.

03.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is the bail application U/S.483 of the BNSS by the petitioner for grant of bail in connection with Jeypore Sadar PS Case No. 19 of 2024 corresponding to TR Case No.05 of 2024 pending in the Court of learned Addl. Sessions Judge-cum-Special Judge Jeypore, District-Koraput for commission of offence punishable U/S.20(b)(ii)(C) of the NDPS Act, on the main allegation of possessing 252Kgs of Contraband Ganja in a Jungle.
3. Heard, Mr. Amit Prasad Bose, learned counsel for the petitioner and Mr. P. Satpathy, learned Additional Public Prosecutor in the matter and perused the record. On being queried about the criminal antecedent of the petitioner, Mr. Bose volunteers to withhold bail to the petitioner, if he is found to have any criminal antecedent of similar nature for commission of offence under NDPS Act.
4. Admittedly, the Petitioner is in custody since 13.01.2024, but trial has just commenced with



examination of one witness out of eleven shortlisted charge sheeted witnesses, however, the post of Presiding Officer of the learned trial Court is lying vacant since 15.05.2025 after transfer and thereby, the trial stands still. On the other hand, the Petitioner has already completed two years in custody and it is claimed that he is not having any criminal antecedent of similar nature. Further, the Petitioner is a local man, but right to speedy trial of an accused is his fundamental as guaranteed under Article 21 of the Constitution of India. In the sequence of events, especially when there is no immediate prospect of conclusion of trial in near future, the petitioner would be considered to have satisfied the conditions of Sec.37 of NDPS Act, if he is not having any criminal antecedent of similar nature for commission of offence under NDPS Act.

5. For the reason stated hereinabove and taking into account the pre-trial detention of the petitioner and keeping in view the other circumstances on record in entirety, this Court without expressing any view on merit admits the petitioner to bail, but subject to verification of his criminal antecedent.

6. Hence, the bail application of the petitioner stands allowed and he 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 of similar nature for commission of offence under NDPS Act.

7. Accordingly, the BLAPL stands 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

Priyajit