



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.11983 of 2025

Kanhu Charan Sahu ... ***Petitioner***

Mr. J. Sahoo, Advocate

-versus-

State of Orissa ... ***Opposite Party***

Mr. P. Satpathy, Addl. PP

CORAM:
JUSTICE G. SATAPATHY

ORDER(ORAL)
16.12.2025

Order No.
01.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is the 2nd successive bail application U/S.483 of BNSS by the petitioner for grant of bail in connection with PR Case No.99 of 2025-26 corresponding to 2(a) CC Case No.18 of 2025(N) pending in the file of learned Addl. Sessions Judge-cum-Special Judge, Aska for commission of offences punishable U/Ss.20(b)(ii)(C) of NDPS Act, on the main allegation of transporting 24Kgs of Contraband Ganja in a Maruti Suzuki Swift Dzire Car bearing Regd. No.OD-07-AW-7369.
3. Heard, Mr. Jyotirmaya Sahoo, 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. Sahoo 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 03.09.2025 and in the meantime, PR has already been submitted, however, the trial is yet to commence and there is no immediate prospect of trial. Further, it is claimed that the petitioner is not having any criminal antecedents of similar nature for commission of offence under NDPS Act. In the peculiar facts and circumstances of this case, especially when there is no immediate prospect of trial, 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 in custody with submission of PR in the meantime, this Court without expressing any view on merit admits the petitioner to bail, but subject to verification of his criminal antecedents.

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) 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.



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.
8. Issue urgent certified copy of the order as per Rules.

(G. Satapathy)
Judge

Jayakrushna