



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 12542 of 2025

Manikantha Mukhi

.... **Petitioners**
Mr. Mahes Das,
Advocate

-versus-

State of Odisha

.... **Opp. Party**
Mr. S.J. Mohanty,
ASC

CORAM:

JUSTICE SIBO SANKAR MISHRA

Order
No.

ORDER
17.12.2025

01.

1. The petitioner is an accused in connection with Kandhamal P.R. No. 202 of 2025-26 corresponding to 2(a) CC No. 62 of 2025 registered on the allegation of the alleged commission of offence punishable under Section 20(b)(ii)(B) of the N.D.P.S. Act, pending in the Court of the learned Special Judge-cum-Addl. District and Sessions Judge, Balliguda.

The petitioner had approached the learned Special Judge-cum-Addl. District and Sessions Judge, Balliguda in 2(a) CC No. 62 of 2025 praying for grant of bail. The learned Court below vide its order dated 06.11.2025 rejected the bail application of the petitioner. Being aggrieved, the petitioner has filed the present petition under Section 483 of BNSS, 2023 praying for enlargement on bail.



2. Learned counsel for the petitioner, on instruction from the petitioner, submits that, except the present bail application, no other bail application of the petitioner is pending in any other Court relating to the aforesaid F.I.R.

3. The prosecution case is that on 02.11.2025 the Inspector of Excise, Dist. Mobile Unit, Kandhamal arrested the petitioner and filed one P.R. No.202 of 2025-26 against him with the allegation that he was transporting ganja of 12 kg. in a KTM Duke Motorcycle bearing Regd. No.OD 02 CT 3078 near Karada Ghati. Then the excise staff seized the ganja and the motorcycle and forwarded the petitioner to the court.

4. Learned counsel for the petitioner submits that, total 12 kg of ganja has been allegedly recovered from the present petitioner, which is less than the commercial quantity. The petitioner has been in custody since 02.11.2025 and the petitioner has no criminal antecedent. Learned counsel for the petitioner makes a very specific submission that the petitioner is not involved in any other similar case and in the petition also specific averments have been made that the bar under Section 37 of the NDPS Act is not attracted against the petitioner.

5. Taking into consideration the quantity of contraband recovered from the petitioner and the period of custody of the petitioner since 02.11.2025, I am inclined to enlarge the petitioner on bail.

6. Hence, the petitioner is directed to be released on bail by the learned Court in seisin over the matter in the aforesaid case on such terms and conditions as it would deem just and



proper, subject to the following additional conditions:

(i) The petitioner shall appear before the I.I.C. of the concerned Police Station on every last Sunday of the month between 10.00 A.M. and 12.00 Noon for at least three months;

(ii) He shall not leave the jurisdiction of the trial Court till the disposal of the trial;

(iii) He shall appear before the trial Court on each date on which the case is posted for trial;

(iv) He shall not tamper with the evidence in any manner whatsoever;

(v) He shall not commit any offence while on bail, and

(vi) He shall be released on bail subject to verification of similar type of antecedents.

In the event the petitioner is found wanting for violation of any of the bail conditions imposed by this Court or the trial Court even on a single occasion, the prosecution is at liberty to move appropriate application before the Court below for cancellation of the concession of bail granted by this Court. If such application is filed, the trial Court should decide the application on its own merit.

7. The BLAPL is accordingly disposed of.

Ashok

(S.S. Mishra)
Judge