



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.12678 of 2025

Vicky Kumar & Another

...

Petitioners

Mr. S.S. Dash, Advocate

-versus-

State of Odisha

...

Opposite Party

Mr. T.K. Acharya, Addl. PP

**CORAM:
JUSTICE G. SATAPATHY**

**ORDER(ORAL)
18.12.2025**

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is an application U/S.483 of BNSS by the petitioners for grant of bail in connection with O.I.C. of Excise Station, Sonapur P.R. Case No.21 of 2025-26 corresponding to 2(a)C.C. Case No.13 of 2025 pending in the file of learned Dist.& Sessions Judge-cum-Special Judge, Sonapur, for commission of offences punishable U/Ss.20(b)(ii)(C) of NDPS Act, on the allegation of transporting 30Kgs 200Grams of Contraband Ganja in a Mahindra Bolero Pick-up without having any registration no.
3. Heard, Mr. Sudhanshu Sekhar Dash, learned counsel for the petitioners and Mr. T.K. Acharya, learned Additional Public Prosecutor in the present matter and perused the record. On being queried about the criminal antecedent of the petitioners, Mr. Dash volunteers to withhold bail to the petitioners, if



they are found to have any criminal antecedent of similar nature for commission of offence under NDPS Act.

4. Admittedly, the petitioners have been detained in custody since 08.05.2025, but in the meantime PR has already been submitted, however, the trial is yet to commence. Further, it is also claimed that the petitioners are not having any criminal antecedent of similar nature. In the peculiar facts and circumstance of the case, especially when it is claimed that the petitioner are not having any criminal antecedent of similar nature, the petitioners would be considered to have satisfied the conditions of Sec. 37 of NDPS Act, if they are not having criminal antecedent of similar nature.

5. For the reason stated hereinabove and taking into account the pretrial detention of the petitioners in custody, this Court without expressing any view on merits admits the petitioners to bail, but subject to verification of their criminal antecedent.

6. Hence, the bail application of the petitioners stands allowed and the petitioners are allowed to go on bail on furnishing bail bonds of Rs.1,00,000/- (Rupees One Lakh) each 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.



In view of the specific submission as advanced for the petitioners, the benefit of this order shall not be extended to the petitioner(s), if he/they is/are found to have any criminal antecedent of similar nature for commission of offences under NDPS Act.

7. Accordingly, the BLAPL stands disposed of. Issue urgent certified copy of the order as per Rules.

(G. Satapathy)
Judge

S.Sasmal