



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.12518 of 2025

Ramesh Kumar and another* ... *Petitioners

Mr. J.K. Panda, Advocate

-versus-

State of Odisha* ... *Opposite Party

Mr. T.K. Acharya, Addl. PP

CORAM:
JUSTICE G. SATAPATHY

ORDER(ORAL)
16.04.2026

Order No.

02.

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 petitioners for grant of bail in connection with Excise Station Binka PR Case No. 83 of 2025-26 corresponding to Special 2(a) CC Case No.18 of 2025 pending in the Court of learned District and Sessions Judge-cum-Spl. Judge, Sonapur for commission of offence punishable U/S.20(b)(ii)(C) of the NDPS Act, on the main allegation of transporting 35Kgs of Contraband Ganja in a Maruti Suzuki Dzire Car.
3. Heard, Mr. Jugala Kishore Panda, learned counsel for the petitioners and Mr. T.K. Acharya, learned Additional Public Prosecutor in the matter and perused the record. On being queried about the criminal antecedent of the petitioners, Mr. Panda volunteers to withhold bail to the petitioners, if he/they is/are found to have any criminal antecedent of similar nature for commission of offence under NDPS Act.



4. Admittedly, the Petitioners are in custody since 07.11.2025, but in the meantime, PR has already been submitted, however, the trial is yet to commence and there is unlikelihood of commencement of trial in near future. Besides, it is claimed that the Petitioners are not having any criminal antecedent of similar nature. In the aforesaid facts and circumstances, especially when there is no criminal antecedent of similar nature reported against the Petitioners, the Petitioners would be considered to have satisfied the conditions of Sec.37 of NDPS Act, if they are 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 petitioners and keeping in view the other circumstances on record in entirety, this Court without expressing any view on merit admits the petitioners to bail, but subject to verification of their criminal antecedent.

6. Hence, the bail application of the petitioners stands allowed and they are 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 petitioners, the benefit of this order shall not be



extended to the concerned petitioner(s), if he/they is/are 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