



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.12439 of 2025

***Nabbajeet Bira @ Nabajit
Beero***

.....

Petitioner

Represented by Adv. -
Suchit Kumar Nayak

-versus-

State Of Odisha

.....

Opposite Parties

Represented by Adv. –

Smt. S. Nayak, ASC

CORAM:

MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

17.12.2025

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel appearing for the Petitioner and learned Additional Standing Counsel appearing for the State-Opposite Party. Perused the bail application as well as the documents annexed thereto.
3. By filing the present application under Section 483 of the B.N.S.S. the Petitioner prays for his release on regular bail in connection with Excise, District Mobile Unit, Paralakhemundi P.R. Case No.135/2025-26 which corresponds to 2(a) CC Case No.16 of 2025 now pending before the learned Sessions Judge-cum-Special Judge, Gajapati at Paralakhemundi, the above noted aforesaid case was registered for alleged commission of an offence punishable under Section 20(b)(ii)(C) of the N.D.P.S.



Act.

4. Learned counsel for the Petitioner at the outset contended that the Petitioner is languishing in custody since 08.09.2025. He further contended that a total quantity of 31.500 grams of contraband Ganja was recovered from the possession of the present Petitioner. Such recovery from the possession of the Petitioner was disputed by the learned counsel for the Petitioner. On the aforesaid ground, learned counsel for the Petitioner further submitted that the bar under Section 37 of the N.D.P.S. Act would not be attracted to the facts of the present case. He further submitted that the Petitioner does not have any antecedent and he belongs to the locality, therefore, there is no chance of him absconding. On such ground, learned counsel for the Petitioner contended that the Petitioner be released on bail on any stringent terms and conditions.

5. Learned Counsel for the State on the other hand objected to the release of the Petitioner on bail on the ground of the nature and gravity of the offence. He further contended that in the event the Petitioner is released on bail there is every livelihood that he might indulge in a similar offence. On such ground, learned counsel for the State prayed for rejection of the bail application.

6. Having regard to the submissions made by the learned counsels appearing for the parties and on a careful examination of the surrounding facts and circumstances as well as the fact that the Petitioner is in custody since 09.09.2025 and in the meantime charge-sheet has been filed, further taking into consideration the fact that the Petitioner belongs to the locality and has no similar criminal antecedents, this Court is inclined to release the



Petitioner on bail in the aforesaid case subject to Petitioner furnishing a bail bond of Rs.35,000/-(Rupees Thirty Five thousand) with two local solvent sureties each for the like amount to the satisfaction of the Court in seisin over the matter. The release of the Petitioner shall also be subject to such terms and conditions as deemed just and proper by the learned court in seisin over the matter.

7. Further, it is made clear that the release of the Petitioner shall also be subject to verification of the criminal antecedent of the Petitioner and in the event it is found that the Petitioner is having any similar criminal antecedent, this order shall not be given effect to.

8. The BLAPL is, accordingly, disposed of.

(A.K. Mohapatra)
Judge

Sisir