



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.12488 of 2025

Babita Naik

.....

Petitioner

Represented by Adv. -
Jugala Kishore Panda

-versus-

State Of Odisha

.....

Opposite Party

Represented by Adv. -
U.C. Jena, A.S.C.

CORAM:
THE HON'BLE 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 materials placed before this Court.
3. The present bail application under Section 483 of B.N.S.S has been filed by the Petitioner for regular bail in connection with Special G.R Case No.13 of 2025, arising out of Titilagarh G.R.P.S Case No.106 of 2025, pending in the Court of learned Additional Sessions Judge-cum-Special Judge, Kantabanji for alleged commission of offence punishable under Sections 20(b)(ii)B of the N.D.P.S Act.
4. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 02.11.2025. Learned counsel for



the Petitioner at this juncture contended that as per the prosecution allegation allegedly a total quantity of 7 kg 150 gm of ganja was recovered from the possession of the present Petitioner. Since the quantity is less than the commercial quantity, the bar under Section 37 would not be attracted to the facts of the present case. He further submitted that the Petitioner belongs to the locality, therefore, there is no chance of his absconding. He further submitted that Petitioner is having one similar criminal antecedent and that she is ready and willing to abide by any stringent terms and conditions that would be imposed by this Court in the event he is released on bail.

5. Learned Additional Standing Counsel appearing for the State-Opposite Party, on the other hand, opposed the release of the Petitioner on bail on the ground that in the event the Petitioner is released on bail, there is a possibility that she might be involved in similar criminal offences. Learned Additional Standing Counsel submitted that nature of allegation and the contraband used in the present case is itself a threat to the society. Therefore, he submitted that the prayer for bail of the Petitioner be rejected at this juncture.

6. Having heard the learned counsels appearing for the respective parties and on a careful examination of the surrounding facts and circumstances of the present case and the bar under Section 37 of the NDPS Act would not be attracted taking into consideration the quantity of the contraband articles was seized, this Court is inclined to release the Petitioner on bail subject to imposition of stringent conditions.

7. Hence, it is directed that the Petitioner be released on bail



in the aforesaid case on furnishing bail bond of Rs.30,000/- (Rupees Thirty thousand) with two local solvent sureties each for the like amount to the satisfaction of the Court in seisin over the matter.

8. It is further directed that the bail granted to the Petitioner is subject to depositing a cash security of Rs.3,000/- (Rupees Three Thousands) before the learned Court in seisin over the matter, which shall be kept in any Nationalized bank in interest bearing account initially for a period of one year which will be renewable from time to time till conclusion of trial and the same shall be abide by the final outcome of the trial of the case

9. It is open for the Court in seisin over the matter to impose any other conditions as may be deemed just and proper. Violation of any of the conditions shall entail cancellation of the bail application.

10. It is further directed that the bail granted to the Petitioner is subject to the condition that the court below shall verify the criminal antecedent of similar nature against the Petitioner. In the event it is found that the Petitioner is having more than one similar criminal antecedent under the offences of NDPS Act, this bail order shall automatically stand revoked.

11. The BLAPL is, accordingly, disposed of.

(A.K. Mohapatra)
Judge

Anil

Signature Not Verified

Digitally Signed
Signed by: ANIL KUMAR SAHOO
Designation: Junior Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 18-Dec-2025 14:22:54

