



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.12503 of 2025

Ramesh Sandha

....

Petitioner(s)

Mr. R. Badapanda, Advocate

-versus-

State of Odisha

....

Opposite Party(s)

Ms. Subhalaxmi Devi, ASC

CORAM: JUSTICE SIBO SANKAR MISHRA

ORDER

17.12.2025

Order No.

01.

1. Heard.

2. The petitioner is an accused in connection with P.R. No.52 of 2022-23 of OIC of Excise, Station Kantamal corresponding to 2(a)C.C. Case No.9 of 2022 registered on the allegation of the commission of the offence under Section 20(b)(ii)(C) of the N.D.P.S. Act pending in the Court of the learned Additional Sessions Judge-cum-Special Judge, Kantamal.

3. The petitioner had approached the learned Court below praying for grant of bail. The learned Court below vide its order dated 14.11.2025 has rejected the bail application of the petitioner. Being aggrieved, the petitioner has filed the present petition under Section 483 of B.N.S.S., 2023 praying for enlargement on bail.



4. 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.

5. The prosecution case, in terse and brief, is that on 15.09.2022 at about 11.00 A.M., while the Officer-in-Charge of Kantamal Excise Station, performing patrolling duty, received reliable information regarding transportation of contraband ganja by a person on a Hero HF Deluxe motorcycle bearing Registration No. OD-31-K-2135. Acting upon the said information, the patrolling party proceeded to the spot and noticed the said person. On seeing the excise personnel, he attempted to flee, abandoning the motorcycle along with the contraband. The excise staff chased and apprehended the petitioner, and upon search, they recovered one jerry bag containing 15 kilograms of contraband ganja from the motorcycle. Subsequently, on the strength of a NBW, the petitioner was arrested and forwarded to judicial custody. Hence, this case.

6. Learned counsel for the petitioner submits that although 15 kg of contraband ganja was seized from the motorcycle alleged to be driven by the petitioner but there is no conscious possession



because the petitioner was not apprehended at the spot. The petitioner is in custody since 13.11.2025.

7. Regard being had to the period of custody from 13.11.2025, the nature of accusation, the quantity of contraband seized and the fact that the trial has not yet been commenced, I am inclined to admit the petitioner on bail.

Hence, the petitioner is directed to be released on bail by the 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 report before the concerned Police Station being physically present on last Sunday every month for two months.
- (ii) He shall cooperate with the investigation.
- (iii) He shall not leave the jurisdiction of the trial Court till disposal of the trial.
- (iv) He shall appear before the trial Court on each date on which the case is posted for trial.
- (v) He shall not tamper with the evidence in any manner whatsoever.



(vi) The petitioner shall not commit any offence while on bail,
and

(vii) He shall be released on bail subject to verification of
similar nature of offence which has not been disclosed in
the petition.

Violation of any of the conditions shall entail consideration
for cancellation of the bail granted to the petitioner. In the event,
any of the bail conditions are violated by the petitioner, the
prosecution is given liberty to move appropriate application before
the Court below for recalling the concession of bail. If such
application is moved, the trial Court should decide the application
on its own merit.

8. The BLAPL is accordingly disposed of.

(S.S. Mishra)
Judge

Swarna

Signature Not Verified

Digitally Signed
Signed by: SWARNAPRAVA DASH
Designation: Senior Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 18-Dec-2025 19:25:16

