



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.12557 of 2025

Laxman Mahakud @ Laxman ... Petitioner
Mahakur

Mr. S.P. Das, Advocate

-versus-

State of Odisha ... Opposite Party

Mr. A. Pradhan, 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 the 3rd bail application U/S.483 of BNSS by the petitioner for grant of bail in connection with Nayagarh Sadar PS Case No.155 of 2025 corresponding to Special GR Case No.44 of 2025 pending in the file of learned District Judge-cum-Special Judge, Nayagarh, for commission of offences punishable U/S.20(b)(ii)(C) of NDPS Act, on the main allegation of transporting 23Kgs of Contraband Ganja in a Tata Indigo vehicle bearing Regd. No.OR-02-BF-8555.
3. At the outset, Mr. Sakti Prasad Das, learned counsel for the petitioner apprises this Court that this is the 3rd bail application of the petitioner, but no bail application of the petitioner is pending before any other forum except this one. Heard, Mr. Sakti Prasad Das, learned counsel for the petitioner and Mr. A. Pradhan, learned Additional Public Prosecutor in the matter and



perused the record. On being queried about the criminal antecedent of the petitioner, Mr. Das volunteers to withhold bail to the petitioner, if he is found to have any criminal antecedents of similar nature for commission of offence under NDPS Act.

4. Admittedly, the petitioner was granted liberty in BLAPL No.7527 of 2025 to renew his prayer for bail, if the charge-sheet is not submitted within three months w.e.f passing of order on 08.08.2025 and in the meantime, charge-sheet has already been placed as submitted. Further, the petitioner is in custody since 03.06.2025 and there must be some charge-sheeted witnesses who need to be examined in the trial, however, there is no immediate prospect of trial and the trial would, therefore, take some more time. Further, it is claimed that the petitioner is not having any criminal antecedent of similar nature. In the peculiar facts and circumstance of the case, especially when there is no immediate prospect of trial, the petitioner would be found considered to have satisfied the conditions of Section 37 of NDPS Act, if he is not having any criminal antecedent of similar nature.

5. For the reason stated hereinabove and taking into account the pre trial detention of the petitioner in custody, this Court without expressing any view on merit admits the petitioner to bail, but subject to verification of his criminal antecedent for similar nature.



6. Hence, the bail application of the petitioner stands allowed and the petitioner is 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 petitioner, the benefit of this order shall not be extended to the petitioner, if he is found to have any criminal antecedent of similar nature for commission of offences under NDPS Act.

7. Accordingly, the BLAPL stands disposed of.

8. Issue urgent certified copy of the order as per Rules.

(G. Satapathy)
Judge

Subhasmita

Signature Not Verified

Digitally Signed
Signed by: SUBHASMITA DAS
Designation: Sr. Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 19-Dec-2025 10:54:23

