



IN THE HIGH COURT OF ORISSA AT CUTTACK

Dinesh Adabasi

(In BLAPL No.12621 of 2024)

Ramdilavar Harijan

(In BLAPL No.12622 of 2024) ... Petitioners

*Mr. N.K. Pradhan, Advocate
(for both the petitioners)*

-versus-

State of Orissa

... Opposite Party

Mr. A. Pradhan, Addl. PP

**CORAM:
JUSTICE G. SATAPATHY**

**ORDER(ORAL)
10.10.2025**

**Order No.
07.**

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Since these two bail applications arise out of one and same case record, the same are taken up together and disposed of by this common order with the consent of the learned counsel for the parties.
3. These are the bail applications U/S.483 of BNSS by the petitioners for grant of bail in connection with Boudh PS Case No.150 of 2024 corresponding to Special GR Case No.49 of 2024 pending in the file of learned Sessions Judge-Cum-Special Judge, Boudh, for commission of offences punishable U/Ss.20(b)(ii)(C) of NDPS Act, on the main allegation of transporting 770Kgs of Contraband Ganja kept in 22 bags in the Tata 1109 Truck bearing Regd. No.MH-40-CM-8153.



4. Heard, Mr. N.K. Pradhan, learned counsel for both the petitioners and Mr. A. Pradhan, learned Additional Public Prosecutor in the matter and perused the record including the deposition of PWs. 1 to 10 as produced.

4.1. Mr. N.K. Pradhan, learned counsel for both the petitioners by producing the certified copy of depositions of PWs.1 to 10 submits that the independent witness has not supported the prosecution case and thereby, there is serious lacuna in the prosecution case, for which the petitioners cannot be held liable for the offences and, thereby, they having discharged the conditions of Section 37 of NDPS Act, may kindly be granted bail, to which Mr. A. Pradhan, learned Additional Public Prosecutor seriously opposes by submitting *inter-alia* that the petitioners are not being able to satisfy the conditions of Section 37 of NDPS Act and, thereby, they are not entitled to be released on bail.

5. After having considered the rival submissions and on going through the materials placed on record together with the evidence of the witnesses so far examined in this case, more particularly the evidence of official witnesses, this Court hardly finds the petitioners to have satisfied the conditions of Section 37 of NDPS Act, which is *sine qua non* for grant of bail to the petitioners. Further, no person accused of an offence under NDPS Act involving commercial quantity shall be



released on bail, where the public prosecutor opposes such bail application of the accused; unless the Court is satisfied there are reasonable grounds for believing that the accused is not guilty of such offence and he is not likely to commit any offence while on bail, which is mandate of Section 37(1)(b)(ii) of NDPS Act. Besides, taking into consideration the materials placed on record and trial having not yet been concluded and the petitioners having not satisfied the conditions of Section 37 of NDPS Act, the prayer for bail of the petitioners stands rejected.

6. Hence, the bail applications of the petitioners Dinesh Adabasi and Ramdilavar Harijan stand rejected. Accordingly, BLAPL Nos.12621 & 12622 of 2024 stand disposed of.

7. 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: 13-Oct-2025 10:53:27

