



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.319 of 2026

Narendra Nayak

...

Petitioner

Mr. T.K. Mishra, Advocate

-versus-

State of Orissa

...

Opposite Party

Mr. T.K. Acharya, Addl. PP

CORAM:
JUSTICE G. SATAPATHY

ORDER(ORAL)
25.02.2026

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).

2. This is an application U/S.483 of BNSS Act by the petitioner for grant of bail in connection with Rayagada Excise Station PR Case No.68 of 2025 corresponding to TR Case No.20 of 2025 pending in the Court of learned Sessions Judge-cum-Special Judge, Rayagada, for commission of offences punishable U/S. 20(b) (ii) (C) of the NDPS Act, on the allegation of possessing 20Kgs 700Grams of Contraband Ganja in a trolley bag and trying to transport it through train.

3. Heard, Mr. Tukuna Kumar Mishra learned counsel for the petitioner and Mr. T.K. Acharya, learned Additional Public Prosecutor in the matter and perused the record. On being queried about the criminal antecedent of the petitioners, Mr. Mishra volunteers to withhold bail to the petitioner, if he is



found to have any criminal antecedent of similar nature for commission of offence under NDPS Act.

4. Admittedly, the petitioner is in custody since 14.06.2025 and in the meantime PR has already been submitted in this case, however, there is no immediate prospect of trial. Further, it is claimed that the petitioner is not having any criminal antecedent of similar nature. No doubt, the quantity of Contraband Ganja seized in this case is just little above the commercial quantity, but in the peculiar facts and circumstances of the case, especially when there is no immediate prospect of trial, the petitioner would be considered to have satisfied the conditions of Sec.37 of NDPS Act, if he is not having any criminal antecedent of similar nature for commission of offence under NDPS Act.

5. For the reason stated hereinabove and taking into account the custody period of the petitioner, this Court without expressing any view on merit admits the petitioner to bail.

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) only 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.

The aforesaid order is, however, subject to verification of the criminal antecedent of similar nature



of the petitioner and in case, any criminal antecedent of similar nature is found against the petitioner, the benefit of this order shall not be extended to him without seeking leave of the Court.

7 Accordingly, the BLAPL stands disposed of.

8. Issue urgent certified copy of the order as per Rules. A soft copy of this order be immediately communicated to the concerned Court, who shall afterwards communicate the same to the concerned Jail through e-mail for reference.

(G. Satapathy)
Judge

Jayakrushna