



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No. 4841 of 2026

1. Sarvesh Kumar **Petitioners**
2. Reema Devi

Mr. B.R. Tripathy, Advocate

-versus-

State of Odisha **Opposite Party**

Ms. S. Mohanty, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
12.06.2026

Order No.

- 02.** 1. Heard learned counsel for the Petitioners and learned counsel for the State.
2. The Petitioners are accused in connection with Special Case (NDPS) No.91 of 2026, pending on the file of learned Sessions Judge-cum-Special Judge, Boudh, arising out of **Boudh P.S. Case No.166 of 2026**, for commission of alleged offences under Sections 20(b)(ii)B of NDPS Act.
3. Learned counsel, on instruction, submits that except the present BLAPL, no other bail application of the Petitioner relating to the aforementioned P.S. case is pending in any other Court.
4. Being aggrieved by the rejection of his application for bail U/s.483 of BNSS by the learned Sessions Judge-Cum-Special Judge, Boudh, by order dated 06.05.2026 in the aforementioned case, the present BLAPL has been filed.



5. It is submitted by the learned counsel that the Petitioners are in custody since 10.04.2026 on the accusation of possession of contraband (ganja) to the tune of 12 kg 400 grams.

6. It is further submitted by the learned counsel that since rigours of Section 37(1)(b)(ii) of NDPS Act is not attracted in the case at hand and the Petitioners have no criminal proclivity and the investigation has progressed substantially. Hence, they may be released on bail.

7. Learned counsel for the State opposes such prayer.

8. On the basis of the submission of the learned counsel for the Petitioners that the Petitioner No.2 is in the family way, instructions were sought for from the concerned jail Superintendent.

Learned counsel for the State, on the basis of the instructions received, intimates this Court that such assertion of the learned counsel for the Petitioners is correct.

9. Considering the nature of allegations, progress in investigation and the present health condition of the Petitioner No.2, who is the wife of the Petitioner No.1, this Court directs the Petitioners to be released on bail on such terms to be fixed by the learned Court in seisin.



10. Before releasing, learned Court in seisin is requested to verify the criminal antecedent of the Petitioner No.1 from his parent police station i.e. P.S-Kurra, Dist. Mainpuri, State-Uttar Pradesh. If it comes to the fore that the Petitioner No.1 (Sarvesh Kumar) has **any criminal antecedent**, this order in respect of him shall not be given effect to.

Taking into account the health condition of the Petitioner No.2, no such condition is stipulated in respect of the said petitioner.

11. To allay the legitimate apprehension of the learned Public Prosecutor regarding ensuring the presence of the Petitioner during trial since, they do not belong to the State of Odisha, additionally it is directed that Petitioner No.1 (Sarvesh Kumar) shall appear before the jurisdictional police station once every month on such date and time to be fixed by the learned Court in seisin till the submission of final form and thereafter once every three months before jurisdictional police station. Certification of such appearance shall be submitted to the Court in seisin.

12. Accordingly, the BLAPL stands disposed of. U.C.C as per rules.

Signature Not Verified

Digitally Signed
Signed by: SOUMYA RANJAN SAMAL
Reason: Authentication
Location: High Court of Orissa
Date: 13-Jun-2026 12:56:57
Soumya

(V. NARASINGH)
Vacation Judge