



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.4890 of 2026

Santosh Maharaj

.....

Petitioner

Represented by Adv. -
Ajit Kumar Raut

-versus-

state of odisha

.....

Opposite Parties

Represented by Adv. -
Mr.J.Khandayatray, ASC

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR
MOHAPATRA

ORDER
19.06.2026

Order No.

01.

1. This matter is taken up through Virtual Mode.
2. Heard learned counsel for the Petitioner and learned counsel for the State. Perused the materials placed before this Court.
3. The present bail application under Section 483 of B.N.S.S has been filed by the Petitioner for regular bail in connection with CrI. T. (Special) Case No.20 of 2026 arising out of Belpahar P.S. Case No.57 of 2026 pending in the Court of learned Special Judge, Jharsuguda for the alleged commission of offence punishable under Section 20(b)(ii)B of the N.D.P.S. Act.
4. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 20.03.2026. In the meantime, charge-sheet has already been submitted. He further contended that as per the F.I.R. allegation the quantity of ganja seized, i.e., 2 Kgs. 954 grams, which was recovered from the conscious & exclusive possession of the Petitioner, which is less than the commercial



quantity, a bar under Section 37 of the N.D.P.S. Act is not attracted to the facts of the present case. He further submitted that the Petitioner is having one similar criminal antecedent and he belongs to the locality, therefore, there is no chance of absconding. In such view of the matter, learned counsel for the Petitioner submitted that the Petitioner be released on bail on any terms and conditions that would be imposed by this Court while the Petitioner release on bail.

5. Learned Additional Standing Counsel appearing for the State-Opposite Party, on the other hand, opposed the release of the Petitioner on bail on the ground of gravity and seriousness of the allegation as well as the fact that in the event the Petitioner is released on bail, there is every likelihood that he might abscond, which may cause delay in trial. Therefore, he submitted that the prayer for bail of the Petitioner be rejected at this juncture.

6. Having heard the learned counsels appearing for the respective parties and on a careful examination of the surrounding facts and circumstances of the present case and further keeping the view the period of detention of the Petitioner in jail custody and the fact that the Petitioner have one similar criminal antecedent, this Court is inclined to release the Petitioner on bail subject to imposition of stringent conditions.

7. Hence, it is directed that the Petitioner be released on bail in the aforesaid case on furnishing bail bond of Rs.40,000/-(Rupees Forty thousand) with two local solvent sureties each for the like amount to the satisfaction of the Court in seisin over the matter.

8. It is open for the Court in seisin over the matter to impose



any other conditions as may be deemed just and proper. Violation of any of the conditions shall entail cancellation of the bail application.

9. It is further directed that the bail granted to the Petitioner is subject to the condition that the court below shall verify whether the Petitioner is having more than one criminal antecedent of similar nature. In the event it is found that the Petitioner is having more than one similar criminal antecedent under the offences of NDPS Act, this bail order shall automatically stand revoked.

10. The BLAPL is, accordingly, disposed of.

Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Vacation Judge

Binayak

Signature Not Verified
Digitally Signed
Signed by: BINAYAK SAHOO
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 22-Jun-2026 17:38:33

