



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.6435 of 2026
CNR No. ODHCO10459302026

Sankar Nial & Anr.

... Petitioners

Mr. B.K. Raj, Advocate

-versus-

State of Orissa

... Opposite Party

Mr. M.R. Patra, Addl. PP

CORAM: JUSTICE G. SATAPATHY

ORDER(ORAL)13.08.2026

Order No.

01.

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

2. This is a bail application U/S.483 of the BNSS by the petitioners for grant of bail in connection with Kotagarh PS Case No.174 of 2025 corresponding to CT Case No.211 of 2025 pending in the Court of learned Special Judge-cum-Addl. District & Sessions Judge, Balliguda, for commission of offence punishable U/S.20(b)(ii)(C) of the NDPS Act, on the main allegation of transporting 25Kgs 300Grams of Contraband Ganja in a Chevrolet Car bearing Regd. No.WB-23-D-2002.

3. Heard, Mr. Bikram Keshari Raj, learned counsel for the petitioners and Mr. M.R. Patra, learned Additional Public Prosecutor in the matter and perused the record. On being queried about the criminal antecedent of the petitioners, Mr. Raj, volunteers to withhold bail to the petitioner(s), if he/they is/are having any criminal antecedent for commission of offence under NDPS Act.

4. Admittedly, the petitioners were taken into custody on 12.12.2025, but in the meantime, charge-sheet has already been submitted and there are 25 charge-sheeted witnesses and, therefore, the trial would definitely take some time. It is, however,



claimed that the petitioners are not having any criminal antecedent of similar nature for commission of offence under NDPS Act. In the aforesaid facts and circumstances and taking into account the materials placed on record keeping in view the claim of the petitioners for not having any criminal antecedent of similar nature under NDPS Act, the petitioners would be considered to have satisfied the conditions of Sec.37 of NDPS Act, if they are not having any criminal antecedent for offence under NDPS Act.

5. For the reasons stated hereinabove and regard being had to the pre-trial detention of the petitioners in custody, this Court without expressing any view on merit admits the petitioners to bail, but subject to verification of their criminal antecedent.

6. Hence, the bail application of the petitioners stands allowed and the petitioners are allowed to go on bail on furnishing bail bonds of Rs.1,00,000/- (Rupees One Lakh) each 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 petitioners, the benefit of this order shall not be extended to the concerned petitioner(s), if he/they is/are found to have any criminal antecedent of similar nature for commission of offences under NDPS Act.

7. Accordingly, the BLAPL stands disposed of. A soft copy of this order be immediately communicated to the concerned Court,

Signature Not Verified through e-mail afterwards communicate the same to the concerned Jail e-mail for reference.

Digitally Signed
Signed by: JAYAKRUSHNA DASH
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 19-Aug-2026 19:37:09

(G. Satapathy)
Judge