



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL NOs.6644 & 6647 of 2026
CNR Nos. ODHC010477762026 & ODHC010477792026

(In the matter of applications under Section 483 of
BNSS, 2023).

Biswajit Nahak
(In BLAPL No.6644 of 2026)
Ramakanta Nahak
(In BLAPL No.6647 of 2026)

... ***Petitioners***

Mr. M.Das, Advocate
(in both the bail applications)

-versus-

State of Orissa

... ***Opposite Party***

Mr. P.Satapathy, Addl. PP

CORAM: JUSTICE G. SATAPATHY

DATE OF HEARING & JUDGMENT:29.08.2026(ORAL)

G. Satapathy, J.

1. Since these two bail applications arise out of one and same case record, the same are heard together and disposed of by this common order with the consent of the learned counsel for the parties.

2. These are the bail applications U/S.483 of BNSS by the petitioners for grant of bail in connection with Daringbadi PS Case No.83 of 2025 corresponding to CT Case No.102 of 2025 pending in the file of learned Special Judge-cum-Addl. District & Sessions Judge,



Balliguda, for commission of offences punishable U/Ss.20(b)(ii)(C)/25/29 of NDPS Act, on the main allegation of transporting 50Kgs 400Grams of Contraband Ganja in a Honda Amaze car bearing Regd. No.OD-02-AU-4976, along with co-accused persons.

3. Heard, Mr. Mahes Das, learned counsel for the petitioners in both the bail application and Mr. P.Satapathy, learned Additional Public Prosecutor in the matter and perused the record including the copy of deposition of PWs. 1 to 3. On being queried about the criminal antecedent of the petitioners, Mr. Das volunteers to withhold bail to the petitioners, if he/they is/are found to have any criminal antecedent for commission of offence under NDPS Act.

4. Admittedly, the petitioners were taken into custody on 06.05.2025, but in the meantime, only 03 out of 19 charge-sheeted witnesses have been examined, even though the petitioners are in custody for more than one year and three months as on today. In the circumstance, as to when the trial would be



concluded is still a guess, but the petitioners claim to have no criminal antecedents of similar nature. In the peculiar facts and circumstance of the case and on consideration of materials placed on record together with the evidence of witnesses so far examined, the petitioners would be considered to have satisfied the conditions of Section 37 of NDPS Act, if they are not having any criminal antecedent for commission of offence under NDPS Act.

5. For the reasons stated hereinabove and taking into account the custody period of the petitioners, this Court without expressing any view on merit admits each of the petitioners to bail, but subject to verification of their criminal antecedent for commission of offence under NDPS Act.

6. Hence, these two bail applications of the petitioners namely Biswajit Nahak (In BLAPL No.6644 of 2026) and Ramakanta Nahak (In BLAPL No.6647 of 2026) are allowed and each of the petitioners is allowed to go on bail on furnishing bail bonds of Rs.1,00,000/-



(Rupees One Lakh) 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, both the BLAPLs stand disposed of. 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

Signature Not Verified

Digitally Signed
Signed by: KISHORE KUMAR SAHOO
Reason: Authentication
Location: High Court of Orissa, Cuttack,
Date: 29-Aug-2026 15:33:02
Dated the 29th day of August, 2026/Kishore