IN THE HIGH COURT OF ORISSA AT CUTTACK

Zahid Ismail @ Siddiqui … ***Petitioners***
(In BLAPL No. 12398 of 2025)
Md. Ekramul Haq
(In BLAPL No. 8486 of 2025)

Mr. S.Dash, Advocate
(In both the BLAPLs)

-versus-

State of Odisha … ***Opposite Party***

Mr. A.Pradhan, Addl. PP

CORAM:
JUSTICE G. SATAPATHY

ORDER(ORAL)
18.12.2025

Order No.

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

2. 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.

3. These are bail applications U/S.483 of BNSS by the petitioners for grant of bail in connection with PR Case No. 75 of 2025-26, DMU, Rayagada corresponding to TR Case No.19 of 2025 pending in the file of learned District & Sessions Judge-cum-Special Judge, Rayagada, for commission of offences punishable U/Ss.20(b)(ii)(C) of the NDPS Act, on the allegation of possessing 20Kgs 600Grams of Contraband Ganja.

4. Heard, Mr. Suryakanta Dash, learned counsel for the petitioners in both the BLAPLs and Mr. A.Pradhan, learned Addl. PP in the matter and perused the record. On being queried about the criminal antecedents of the petitioners, Mr. Dash volunteers to withhold bail to the petitioners, if they are found to have any criminal antecedent of similar nature for commission of offence under NDPS Act.

5. Admittedly, the petitioners are in custody since 07.06.2025 and in the meantime, PR has already been submitted, but it is quite uncertain as to when the trial would commence and when it would be concluded. Further, it is claimed that the petitioners are not having any criminal antecedents of similar nature. In the peculiar facts and circumstances of the case, especially when the quantity of Contraband Ganja seized in this case being just above the commercial quantity and there being possibility of human error in weighing, this Court considers that the conditions of Section 37 of NDPS Act may be dispensed with at this stage for the petitioners.

6. For the reasons stated hereinabove and taking into account the custody period of the petitioners and stage of the case, this Court without expressing any view on merits, admits each of the petitioners to bail, but subject to verification of their antecedent as agreed.

7. Hence, these two bail applications of the petitioners namely Zahid Ismail @ Siddiqui (BLAPL No. 12398 of 2025) and Md.Ekramul Haq (BLAPL No. 8486 of 2025) 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 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 for the petitioners, the benefit of the aforesaid order shall not be extended to the concerned petitioner(s), if he/they is/are found to have criminal antecedent(s) of similar nature for commission of offence under NDPS Act.

8. Accordingly, these BLAPLs stand disposed of.

9. Issue urgent certified copy of the order as per Rules.

(G. Satapathy)
Judge

kishore

Signature Not Verified
Digitally Signed
Signed by: KISHORE KUMAR SAHOO
Reason: Authentication
Location: High Court of Orissa
Date: 19-Dec-2025 10:16:55