IN THE HIGH COURT OF ORISSA AT CUTTACK

Irfan Khan & others
(In BLAPL No.279 of 2026)
Pankaj Banskar
(In BLAPL No.830 of 2026) ... Petitioners

Mr. D.J.Sahoo, Advocate
(in BLAPL No.279 of 2026)
Mr.R.L.Pattnaik, proxy counsel
on behalf of Mr.S.K.Panda, Advocate
(In BLAPL No. 830 of 2026)

-versus-

State of Orissa *...* ***Opposite Party***

Mr. S.C.Pradhan, Addl. PP

CORAM:
JUSTICE G. SATAPATHY

ORDER(ORAL)
09.04.2026

Order No.

02. 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 the bail applications U/S.483 of BNSS by the petitioners for grant of bail in connection with Jharsuguda PS Case No.135 of 2025 corresponding to CT(Spl) Case No.13 of 2025 pending in the file of learned Special Judge, Jharsuguda, for commission of offences punishable U/Ss.20(b)(ii)(C) of NDPS Act, on the main allegation of jointly

possessing 53Kgs 25Grams of Contraband Ganja and waiting for train.

4. Heard, Mr. Dibya Jyoti Sahoo, learned counsel for the petitioner in BLAPL No. 279 of 2026; Mr.Rajib Lochan Pattnaik, learned proxy counsel appearing on behalf of Mr.Sunil Kumar Panda, learned counsel for the petitioner in BLAPL No. 830 of 2026 and Mr. S.C.Pradhan, learned Additional Public Prosecutor in the matter and perused the record. On being queried about the criminal antecedent of the petitioners, Mr. Sahoo & Mr.Pattnaik volunteers to withhold bail to the petitioners, if they are found to have any criminal antecedents for commission of offence under NDPS Act.

5. After having considered the rival submissions upon perusal of record, there appears allegation against the petitioners for jointly possessing the Contraband article, but neither FIR nor the charge sheet clarify as to what quantity of Contraband Ganja was allegedly possessed by each individual petitioner, but in the meantime, charge sheet has already been submitted and there are 33 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. In the peculiar facts and circumstances of the case together with the materials so placed on record, the

petitioners would be considered to have satisfied the conditions of Section 37 of NDPS Act, if he/they is/are not having any criminal antecedent of similar nature for commission of offences under NDPS Act.

6. For the reasons stated hereinabove and taking into account the pre trial detention of the petitioners in custody since 08.04.2025, this Court without expressing any view on merit admits each of the petitioners to bail, but subject to verification of their criminal antecedent for similar nature under the NDPS Act..

7. Hence, these two bail applications of the petitioners namely Irfan Khan, Sanjay Dhawane @ Sanjay Laxmanrao Dhawane, Asha Binod Dahe, Govind Vijay Chandak, Nina Bijay Chandak, Rizwana Parbin (In BLAPL No.279 of 2026) and Pankaj Banskar (In BLAPL No.830 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.

8. Accordingly, these BLAPLs stand disposed of.

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

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Signature Not Verified
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Signed by: KISHORE KUMAR SAHOO
Reason: Authentication
Location: High Court of Orissa
Date: 10-Apr-2026 11:59:32