IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2820 of 2026

Pabitra Kumar Biswal .... **Petitioner**

Mr. Ashok Kumar Ghadai,
Advocate

-versus-

State of Odisha .... **Opp. Party**

Mr. Partha Sarathi Nayak, AGA

CORAM: JUSTICE SIBO SANKAR MISHRA

Order No. **ORDER**
30.04.2026

02. **1**. The petitioner is an accused in connection with Bhasma P.S. Case No.275 of 2025 corresponding to Special G.R. No.113 of 2025 registered for the alleged commission of the offence punishable under Section 21(c)/29 of the N.D.P.S. Act, pending in the Court of the learned Sessions Judge-cum-Special Judge, Sundargarh. The petitioner had approached the learned Sessions Judge-cum-Special Judge, Sundargarh in Special G.R. No.113 of 2025 praying for grant of bail. The learned Court below vide its order dated 09.03.2026 rejected the bail application of the petitioner. Being aggrieved, the petitioner has filed the present petition under Section 483 of BNSS, 2023 praying for enlargement on bail.

2. Learned counsel for the petitioner, on instruction from the petitioner, submits that except the present bail application, no other bail application of the petitioner is pending in any other Court relating to the aforesaid F.I.R.

3. The prosecution case is that on 31.08.2025 at about 7.00 a.m., the informant learned from reliable source regarding selling of contraband articles like Codeine based cough syrups at Darlipali Bus Stop. On getting such information, the informant along with their team proceeded to the spot. After reaching their, they found the accused was standing near the Bus Stop with a plastic bag. On being asked, the accused disclosed his name as Sudhir Ranjan Naik and disclosed that the has been supplying the contraband cough syrups for the purpose of sale to earn profit. On search of the bag, 30 nos. of Codeine Phospat Syrups each of 100 ml. was found. Hence, the case.

4. Mr. Nayak, learned Additional Government Advocate appearing for the State submits that the total quantity of mixture including the neutral substance of recovered syrup, if counted, it would be the commercial quantity, in view of the judgment of the Hon'ble Supreme Court in the case of **Hira Singh vs. Union of India**, reported in **AIR 2020 SC 3255..**

5. Mr. Ashok Kumar Ghadai, learned counsel for the

petitioner, on instruction, specifically submits that the petitioner has no criminal antecedent and he has been in the custody since 30.08.2025.

6. Regard being had to the nature of allegation against the petitioner, quantity of contraband recovered, and the period of custody of the petitioner since 30.08.2025, I am inclined to enlarge the petitioner on bail.

7. Hence, the petitioner is directed to be released on bail by the learned Court in seisin over the matter in the aforesaid case on such terms and conditions as it would deem just and proper, subject to the following additional conditions:

(i) The petitioner shall appear before the I.I.C. of the concerned Police Station on second Sunday of every month between 10.00 A.M. and 12.00 P.M. for at least six months;

(ii) He shall not leave the jurisdiction of the trial Court till the disposal of the trial;

(iii) He shall appear before the trial Court on each date on which the case is posted for trial without fail;

(iv) He shall not tamper with the evidence in any manner whatsoever;

(v) He shall not commit any offence while on bail, and

(vi) He shall be released on bail subject to verification of similar type of antecedents.

In the event the petitioner is found wanting for violation of any of the bail conditions imposed by this Court or the trial Court even on a single occasion, the prosecution is at liberty to move appropriate application before the Court below for cancellation of the concession of bail granted by this Court. If such application is filed, the trial Court should decide the application on its own merit. N.B.W. shall be issued in the event the petitioners remain absent from the trial.

8. The BLAPL is accordingly disposed of.

(S.S. Mishra)
Judge

Subhasis

Signature Not Verified
Digitally Signed
Signed by: SUBHASIS MOHANTY
Designation: Personal Assistant
Reason: Authentication
Location: High Court of Orissa, Cuttack.
Date: 30-Apr-2026 19:24:37