IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2821 of 2026

Sudam Nayak .... **Petitioner**

Mr. Sidhartha Sankar Ray (2), Advocate

-versus-

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

Ms. Suvalaxmi Devi, ASC

CORAM: JUSTICE SIBO SANKAR MISHRA

Order No. **ORDER**
30.04.2026

02. **1**. The petitioner is an accused in connection with Gunupur P.S. Case No.207 of 2025 corresponding to T.R. No.54 of 2025 registered for the alleged commission of the offence punishable under Section 20(b)(ii)(C)/29 of the N.D.P.S. Act, pending in the Court of the learned Additional Sessions Judge-cum-Special Judge, Gunupur. The petitioner had approached the learned Additional Sessions Judge-cum-Special Judge, Gunupur in T.R. No.54 of 2025 praying for grant of bail. The learned Court below vide its order dated 09.12.2025 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 14.09.2025, when the S.I. of Police of Gunupur P.S. was performing patrolling duty along with his team in Gunupur town area, they got credible information regarding transportation of contraband ganja towards Visakhapatnam. The S.I. intimated the said fact to the IIC over phone. Immediately the police team proceeded to the spot. On the way, the S.I. procured two independent witnesses, namely Sithin Pujhari and Tuna Bauri, who agreed to remain present during the search and seizure. At about 1.05 P.M., the police team noticed two persons coming from Gunupur town towards Railway Station holding one multi colour jari bag. The police personnel stopped those persons and on checking their bag, 27 kgs. of contraband ganja was seized. Hence, the case.

4. Mr. Ray (2), learned counsel for the petitioner submits that the co-accused Nanuma Bebarta has been enlarged on bail by the Coordinate Bench vide order dated 17.03.2026 in BLAPL No.1017 of 2026. The petitioner is also similarly situated like the co-

accused, who has been admitted to bail. He further submits on instruction that the petitioner is not involved in any other similar cases.

5. Regard being had to the quantity of contraband recovered from the petitioner and the period of custody of the petitioner since 14.09.2025, I am inclined to enlarge the petitioner on bail.

6. 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 every last Sunday of the month between 10.00 A.M. and 12.00 P.M. for at least three 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.

7. 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 19:24:33