IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5241 of 2026
CNR No. ODHC010392182026

1. Arishna Pardhi …. ***Petitioners***
2. Ulesna Bai @ Ulesna Dhruve

Mr. L. Samantaray, Sr. Advocate

-versus-

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

Mr. S. Panda, ASC

BLAPL No.7764 of 2026
CNR No. ODHC010559622026

Shiban Nayak …. ***Petitioner***

Mr. A.R. Panda, Advocate

-versus-

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

Mr. S. Panda, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
09.11.2026

Order No.

03. 1. Since both the BLAPLs relate to the same FIR, on the consent of the parties, they are taken up together for consideration and disposed of by this common order.

2. Heard learned counsel for the Petitioners and learned counsel for the State.

3. The Petitioners are cited as accused in connection with C.T. Case No.169 of 2025 pending on the file of learned Addl. Sessions Judge -cum- Special Judge, Balliguda, arising out of Sarangada P.S. Case No.189 of 2025 for commission of offence alleged under Sections 20(b)(ii)(C)/25/29 of NDPS Act.

4. Learned counsel, on instruction, submits that except the present BLAPLs, no other bail application of the Petitioners relating to the aforementioned P.S. Case is pending in any other Court.

5. Being aggrieved by the rejection of his application for bail U/s.483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) by the learned Special Judge -cum- Addl. Sessions Judge, Balliguda, Kandhamal by orders dated 08.05.2026 and 07.04.2026 respectively in the aforementioned case, the present BLAPLs have been filed.

6. The accusation against the present Petitioners is that they are involved in the transportation of contraband (ganja) to the tune of 245 kgs 150 grams.

7. It is stated that the Petitioners are in custody since 20.10.2025, charge sheet in the case at hand has been filed and there is no progress in the trial. Hence, only on the sole ground of violation of their right to speedy trial, their release is being sought for.

8. Learned counsel for the State opposes such prayer in view of the rigors of Section 37(1)(b)(ii) of NDPS Act.

9. Considering the period of custody, a report was called for from the learned Court in seisin, which indicates that the prosecution seeks to rely on 15 (fifteen) witnesses and the case was posted to 28.10.2026 for evidence of the prosecution witnesses.

10. In the light of the rival submission and in the backdrop of provisions as contained under Section 37(1)(b)(ii) of NDPS Act as well as the judgment of the Apex Court in the case of **State of Punjab V. Sukhwinder Singh @ Gora,** ***(2026) 7 SCC 513***, this Court is **not inclined** to entertain these applications at this stage.

11. Liberty is granted to the Petitioners to renew their prayer before the learned trial Court on examination of the material witnesses.

12. It is needless to stage that if such applications are filed, the same shall be considered on their own merits.

13. Accordingly, the BLAPLs stand disposed of.

(V. NARASINGH)
Judge

Soumya

Signature Not Verified
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Signed by: SOUMYA RANJAN SAMAL
Reason: Authentication
Location: High Court of Orissa
Date: 10-Nov-2026 17:55:38