IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.6713 of 2026
CNR No. ODHC010487152026

1) Laxmidhar Barik @ Babul	***.....***	***Petitioners***
2) Sabyasachi Parida @ Pinku		Represented by Adv. –
3) Shaswata Dehury @ Situ		Mr. Bharat Bhusan Routray

-versus-

State of Odisha	***.....***	***Opposite Party***
		Represented by Adv. –
		Smt. Sasmita Nayak, ASC

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
10.11.2026

Order No. **I.A. No.817 of 2026**

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

2. This interlocutory application has been filed by the Petitioners seeking modification of order dated 29.10.2026 passed by this Court in the aforesaid bail application.

3. Heard learned counsel for the Petitioners as well as learned counsel for the State-Opposite Party.

4. Considering the submissions made, the order dated 29.10.2026 is hereby recalled.

5. The I.A. is, accordingly, disposed of.

6. Heard learned counsel appearing for the Petitioners and learned Additional Standing Counsel appearing for the State-Opposite Party. Perused the materials placed before this Court.

7. The present bail application under Section 483 of B.N.S.S. has been filed by the Petitioners for regular bail in connection with C.T.(NDPS) Case No.32 of 2026, arising out of Chhendipada P.S. Case No.284 of 2026, pending in the Court of learned Special Judge, Angul for alleged commission of offence punishable under Sections 21(b)/29 of the N.D.P.S. Act.

8. It is stated by the learned counsel for the Petitioners that the Petitioners are languishing in jail custody since 11.06.2026. He further contended that in the meantime, investigation has been concluded and final charge-sheet has been filed. Learned counsel for the Petitioners further submitted that the Petitioners do not have any similar criminal antecedent and that they belong to the locality, therefore, there is no chance of their absconding.

9. Further referring to the allegation made in the FIR, learned counsel for the Petitioners contended that, as per the FIR allegation, a total quantity of 12.980 grams of contraband brown sugar (heroin) was seized from the accused persons including the present Petitioners. He

further submitted that taking into consideration the allegedly quantity of contraband article was recovered from the possession of the present Petitioners which is less than the commercial quantity, the bar under Section 37 of NDPS Act would not be attracted to the facts of the Petitioners' case. On such ground, learned counsel for the Petitioners submitted that the Petitioners be released on bail on any stringent terms and conditions that would be imposed by this Court in the event they are released on bail.

10. Learned counsel for the State, on the other hand, objected to release the Petitioners on bail on the ground that in the event the Petitioners are released on bail, there is every possibility that they might be involved in similar criminal offences. Learned counsel for the State submitted that nature of allegation and the contraband article used in the present case is itself a threat to the society. Therefore, he submitted that the prayer for bail of the Petitioners be rejected at this juncture.

11. Having regard to the learned counsels appearing for the respective parties and on a careful examination of the materials on record and further taking note of the materials on record as well as upon a careful consideration of the gravity and seriousness of the allegation and further taking note of the quantity of the contraband article seized and the period of custodial detention and the fact that the Petitioners do not have any similar criminal antecedent, this Court is

inclined to release the Petitioners on bail subject to imposition of stringent conditions.

12. Hence, it is directed that the Petitioners be released on bail in the aforesaid case on furnishing bail bond of Rs.40,000/-(Rupees Forty thousand) each with two local solvent sureties each for the like amount to the satisfaction of the Court in seisin over the matter.

13. It is open for the Court in seisin over the matter to impose any other conditions as may be deemed just and proper. Violation of any of the conditions shall entail cancellation of the bail application.

14. It is further directed that the bail granted to the Petitioners shall be subject to the condition that the court below shall verify whether the Petitioners are having any criminal antecedent of similar nature. In the event it is found that the Petitioners are having any similar criminal antecedent, then this bail order shall automatically stand revoked.

15. The BLAPL is, accordingly, disposed of.

(Aditya Kumar Mohapatra)
Judge

Debasis

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Signed by: DEBASIS AECH
Designation: SECRETARY
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 10-Nov-2026 20:55:34