**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No.8279 of 2026**

**CNR No. ODHC010601062026**

***Ranjan Duria*** ..... ***Petitioner***

Represented by Adv. -
Prasanta Kumar Nanda

*-versus-*

***State Of Odisha*** ..... ***Opposite Parties***

Mr. U.C. Jena, ASC

**CORAM:**
**MR. JUSTICE ADITYA KUMAR MOHAPATRA**

**ORDER**
**10.11.2026**

**Order No.**

04. 1. This matter is taken up through Hybrid mode.

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

3. The present bail application under Section 439 of Cr.P.C. has been filed by the Petitioner for regular bail in connection with T.R. Case No.130-A of 2023, arising out of Sunabeda P.S. Case No.207 of 2023, pending in the Court of learned Additional Sessions Judge-cum-Special Judge, Koraput for alleged commission of offence punishable under Sections 20(b)

(ii)(C), 29 of the N.D.P.S. Act.

4. Learned counsel for the Petitioner at the outset submitted that the Petitioner is languishing in custody since 31.03.2025. Further, referring to the prosecution report as well as final charge sheet, learned counsel for the Petitioner submitted that in the charge sheet, under the heading brief facts of the case, it has been specifically alleged that a huge quantity of contraband Ganja has been recovered from two vehicles. He further contended that neither the Petitioner was present at the spot of occurrence nor any contraband article has been seized from the possession of the present Petitioner. He further submitted that the Petitioner has been implicated in the present case only on the basis of the co-accused statement. He further contended that the Petitioner is languishing in custody for more than one year and although the final charge sheet has been filed in the meantime, there is no possibility of early commencement of trial. He further contended that the Petitioner does not have any similar criminal antecedent. In such view of the matter, learned counsel for the Petitioner submitted that the Petitioner be released on bail on any terms and conditions deemed fit and proper by this Court.

5. Learned Additional Standing Counsel appearing for the State-Opposite Party, on the other hand, opposed the release of the Petitioner on bail on the ground that the bar under Section 37 would be attracted to the facts of the present case

considering the quantity of contraband ganja that was recovered from the spot. He further contended that such type of incidents of illegal transportation of contraband article are on a rise in the State of Odisha, therefore, no leniency should be shown to the Petitioner while considering the bail application.

6. Taking into consideration the submissions made by the learned counsels appearing for the parties, on a careful examination of the materials on record, further on a careful scrutiny of the F.I.R. as well as the charge sheet, further taking into consideration the period of custodial detention, this Court is of the view that the bar under Section 37 would not be attracted to the facts of the present case, therefore, this Court is inclined to release the Petitioner on bail.

7. Accordingly, the Petitioner be released on bail in the aforesaid case on furnishing bail bond of Rs.40,000/- (Rupees Forty thousand) with two local solvent sureties for the like amount to the satisfaction of the Court in seisin over the matter.

8. 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.

9. It is further directed that the bail granted to the Petitioner be subject to the condition that the court below shall verify the criminal antecedents of the Petitioner. In the event the Petitioner is having any similar criminal antecedent under the

offences of NDPS Act, this bail order shall automatically stand revoked.

10. The BLAPL is, accordingly, disposed of.

Issue urgent certified copy of this order as per Rules.

***( Aditya Kumar Mohapatra )***
***Judge***

S.K. Rout

Signature Not Verified
Digitally Signed
Signed by: SANTANU KUMAR ROUT
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 11-Nov-2026 11:07:17