IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.9707 of 2025

Arjun Choudhary @ Arjun … ***Petitioner***

Mr. B.B. Routray, Advocate

-versus-

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

Mr. R.B. Mishra, Addl. PP

CORAM:JUSTICE G. SATAPATHY

ORDER(ORAL): 09.04.2026

Order No.

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

2. This is an application U/S.483 of BNSS Act by the petitioner for grant of bail in connection with Paper Jharsuguda PR Case No.188 of 2025-26 corresponding to 2(a) CC Case No.33 of 2025 pending in the Court of learned Special Judge, Jharsuguda for commission of offences punishable U/S. 20(b)(ii)(C) of NDPS Act, on the main allegation of possessing 21Kgs of contraband ganja and waiting for train.

3. Heard, Mr. Bharat Bhusan Routray, learned counsel for the petitioner and Mr. R.B. Mishra, learned Addl. Public Prosecutor in the matter and perused the record. On being queried about the criminal antecedent of the petitioner, Mr. Routray volunteers to withhold bail to the petitioner, if he is found to have any criminal antecedent of similar nature for commission of offence under NDPS Act.

4. Admittedly, the petitioner was apprehended on 20.06.2025, but in the meantime, final PR has already been submitted, however, the trial is yet to commence and there are some witnesses to be examined in the trial and there is no immediate prospect of trial. Further, it is claimed that the petitioner is not having any criminal antecedent of similar

nature. In the peculiar facts and circumstances of the case, and on going through the materials placed on record, since the quantity of contraband ganja allegedly seized in this case being just above the commercial quantity and there being human error in weighing, the petitioner would be considered to have satisfied the conditions of Sec.37 of NDPS Act, if he is not having any criminal antecedent of similar nature for commission of offence under NDPS Act.

5. For the reason stated hereinabove and taking into account the custody period of the petitioner, this Court without expressing any view on merit admits the petitioner to bail.

5. Hence, the bail application of the petitioner stands allowed and the petitioner is allowed to go on bail on furnishing bail bonds of Rs.1,00,000/- (Rupees One lakh) only with two solvent sureties each for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper by it.

The aforesaid order is, however, subject to verification of the criminal antecedent of similar nature of the petitioner and in case, any criminal antecedent of similar nature is found against the petitioner, the benefit of this order shall not be extended to him without seeking leave of the Court.

6. Accordingly, the BLAPL stands disposed of.

7. Issue urgent certified copy of the order as per Rules. A soft copy of this order be immediately communicated to the concerned Court, who shall afterwards communicate the same to the concerned Jail through e-mail for reference.

Signature Not Verified
Digitally Signed
Signed by: JAYAKRUSHNA DASH
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 10-Apr-2026 10:28:08

(G. Satapathy)
Judge