IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.9010 of 2026
CNR No. ODHC010666452026

1) Puspendra Naik ***.....*** ***Petitioners***
2) Isak Naik

Represented by Adv. –
Mr. Anirudha Das

-versus-

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

Represented by Adv. –

Mr. S.K. Rout, ASC

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
26.11.2026

Order No.

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

2. Heard learned counsel appearing for the Petitioners and learned Additional Standing Counsel appearing for the State-Opposite Party. Perused the bail application as well as the documents annexed thereto.

3. The present bail application under Section 483 of B.N.S.S., 2023 has been filed by the Petitioners for regular bail in connection with C.T. Case No.7/2026(NDPS), arising out of M. Rampur P.S. Case No.18 of 2026, pending in the court of learned Sessions Judge, Kalahandi, Bhawanipatna, for alleged commission of offences punishable under Sections 20(b)(ii)C/29 of the N.D.P.S. Act, 1985.

4. It is submitted by the learned counsel for the Petitioners that the Petitioners are languishing in jail custody since 24.01.2026. He further submitted that, in the meantime, investigation has been concluded and final charge sheet has been filed. Learned counsel for the Petitioners also contended that the Petitioners do not have any similar criminal antecedent and that they belongs to the locality, therefore, there is no chance of their absconding.

5. Further, referring to the allegation made in the F.I.R., learned counsel for the Petitioners contended that, as per the prosecution allegation, the Petitioners were travelling on a TVS Motorcycle bearing Registration No.OD-08-V-8098, which was intercepted by raiding party at about 3.30 P.M. on 23.01.2026. It further appears that after some time, two other vehicles loaded with contraband Ganja reached the spot. So far as the Bolero Mahindra Pick-up Van is concerned, which was driven by one Susanta Patra, 15 packets of contraband Ganja were recovered, and similarly, 10 packets of contraband Ganja were recovered from the Car driven by accused-Sunil Naria. Learned counsel for the Petitioners submitted that the present Petitioners have been implicated on the ground that they were escorting such vehicles in which contraband Ganja was being carried. He emphatically argued that nothing has been recovered from the exclusive and conscious possession of the present Petitioners. Further, referring to the fact that the Petitioners have been languishing in judicial custody since 24.01.2026 and that the

charge sheet has been filed in the meantime, learned counsel for the Petitioners prayed for release of the Petitioners on bail on any stringent terms and conditions as deemed just and proper by this Court.

6. Learned counsel for the State, on the other hand, opposed the release of the Petitioners on bail on the ground of gravity and seriousness of the allegation. He further contended that in the event the Petitioners are released on bail, there is every possibility that they might abscond from justice which would eventually cause delay in conclusion of the trial. He further submitted that the cases of illegal transportation of contraband Ganja are on rise in State of Odisha now-a-days. Therefore, no leniency should be shown to the accused persons who are involved in such type of offence. On such grounds, it is submitted that the bail application of the Petitioners be rejected at this juncture.

7. Having regard to the submissions made by the learned counsels appearing for the respective parties, on a careful examination of the nature and gravity of the allegation as well as the role of the alleged crime, further taking note of the fact that the Petitioners do not have any criminal antecedent and that they are languishing in jail custody since 24.01.2026 and in the meantime, charge sheet has been filed, this Court is inclined to release the Petitioners on bail.

8. Hence, it is directed that the Petitioners be released on bail in the aforesaid case on furnishing bail bond of Rs.50,000/-

(Rupees fifty thousand) each with two local solvent sureties each for the like amount to the satisfaction of the Court in seisin over the matter. The release of the Petitioners shall also be subject to such other terms and conditions as would be fixed by the court in seisin over the matter. Violation of any of the terms and conditions shall entail cancellation of bail.

9. 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 criminal antecedent of similar nature, then this bail order shall automatically stand revoked.

10. The BLAPL is, accordingly, disposed of.

Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge

Debasis

Signature Not Verified
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Reason: Authentication
Location: ORISSA HIGH COURT
Date: 26-Nov-2026 17:30:38