IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.9011 of 2026
CNR No. ODHC010668072026

Daita Kumar Bag @ Dait Kumar Bag ..... ***Petitioner***

Represented by Adv. - Suryakanta Dwibedi

-versus-

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

Represented by Adv. -Mr. M.K.Mohanty, A.S.C.

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

Order No. **28.10.2026**

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

2. This is an application U/S.483 of the BNSS by the petitioner for grant of bail in connection with Lathor PS Case No.59 of 2024 arising out of GR Case No.8 of 2024 pending in the Court of learned Addl. Sessions Judge-cum-Special Judge, Patnagarh for commission of offences punishable U/S. 279/337 of IPC and r/w Section 20(b)(ii)(C) of NDPS Act, on the allegation of escorting a Tata Sumo vehicle bearing Regd. No.OR-03-F-3623 carrying 264 Kgs and 570 Grams of Contraband Ganja, on a motorcycle.

3. Heard, Mr. Suryakanta Dwibedi, learned counsel for the Petitioner and Mr. M.K.Mohanty, learned Additional Stading Counsel in the matter and perused the record.

4. Admittedly, the petitioner was taken into custody since 08.03.2024, but in the meantime, trial has commenced with examination of only 5 witnesses, out of 19 shortlisted witnesses and, therefore, the trial would definitely take some more time. It is, however, claimed that the petitioner is having three criminal antecedents of similar nature. In the peculiar facts and circumstances of the case and taking into consideration the materials so placed on record together with claim of the petitioner for not having any criminal antecedents, the petitioner would be considered to have satisfied the conditions of Section 37 of NDPS Act, if he not having any criminal antecedent for commission of offences under NDPS Act.

5. For the reasons stated hereinabove and taking into account the custody period of the petitioner, this Court without expressing any view on merit admits each of the petitioner to bail, but subject to verification of his criminal antecedent for commission of offence under NDPS Act.

6. Hence, the bail application of the petitioner is allowed and the petitioner is allowed to go on bail on furnishing bail bond of Rs.50,000/- (Rupees Fifty Thousand) with two solvent sureties 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 with following condition: -

> *(i) the petitioner shall co-operate the further trial.,*

In view of the specific submission as advanced for the petitioner, the benefit of this order shall not be extended to the concerned petitioner(s), if he found to have more than three criminal

antecedents of similar nature for commission of offences under NDPS Act.

7. Accordingly, the BLAPL stand disposed of. 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.

(A.K. Mohapatra)

Judge

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Reason: Authentication
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