IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.10303 of 2026
CNR No. ODHC010715942026

Ashok Singh **.....** ***Petitioner***

Represented by Adv. - Swaraj Patel

-versus-

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

Represented by Adv. -Mr. A.Pradhan, A.S.C.

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

Order No. **19.11.2026**

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical 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 483 of the B.N.S.S. has been filed by the Petitioner for regular bail in connection with Spl. G.R. Case No.21 of 2026, arising out of IIC, Bargaon P.S. Case No.70 dated 23.02.2026, pending in the Court of learned Sessions Judge-cum-Special Judge, Sundargarh for alleged commission of offence punishable under Sections 18(C)/25 of the N.D.P.S. Act.

4. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 23.02.2026. He further submitted that the investigation has been concluded and the final charge sheet has

been filed. Learned counsel for the Petitioner further contended that the Petitioner does not have any similar criminal antecedents and that he belongs to the locality, therefore there is no chance of his absconding.

5. Further referring to the allegations made in the F.I.R., learned counsel for the Petitioner contended that, as per the prosecution case, a total quantity of 24 kg 950 grams of opium was allegedly seized from the possession of the present Petitioner. Learned counsel for the Petitioner seriously disputed the alleged recovery of the contraband article from the exclusive and conscious possession of the Petitioner. He further contended that the bar under Section 37 of the N.D.P.S. Act would not be attracted to the facts and circumstances of the present case. Drawing the attention of the Court to the fact that the Petitioner has no criminal antecedents of a similar nature and has been languishing in custody for more than nine months, learned counsel for the Petitioner submitted that the Petitioner may be released on bail on such stringent terms and conditions as this Hon'ble Court may deem fit and proper.

6. 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 in the event the Petitioner is released on bail, there is a possibility that he might be involved in similar criminal offences. Learned Additional Standing Counsel submitted that considering the nature of allegation and the contraband used in the present case, the release of the petitioner would be a threat to the society. Therefore, he submitted that the prayer for bail of the Petitioner be rejected at this juncture.

7. Having heard the learned counsels appearing for the respective

parties and on a careful examination of the surrounding facts and circumstances of the present case and further keeping the view the period of detention of the Petitioner in jail custody and the fact that the Petitioner does not have any similar criminal antecedent, this Court is inclined to release the Petitioner on bail subject to imposition of stringent conditions.

8. Hence, it is directed that the Petitioner be released on bail in the aforesaid case on furnishing bail bond of Rs.35,000/-(Rupees Thirty-Five Thousand) with two local solvent sureties each for the like amount to the satisfaction of the Court in seisin over the matter. 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 terms and conditions shall entail cancellation of bail.

9. It is further directed that the bail granted to the Petitioner is subject to the condition that the court below shall verify whether the Petitioner is having any criminal antecedent. In the event it is found that the Petitioner is having any criminal antecedent involving offence under the NDPS Act, this bail order shall automatically stand revoked.

10. The BLAPL is, accordingly, disposed of.

(A.K. Mohapatra)

Judge

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