**IN THE HIGH COURT OF ORISSA AT CUTTACK**
**BLAPL No.9702 of 2026**
**CNR No. ODHC010727282026**

***Sadasiba Nayak @ Silu*** ..... ***Petitioner***

Represented by Adv. - Amlan Shakti Paul

*-versus-*

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

Mr. M.K. Mohanty, ASC

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

**ORDER**
**04.11.2026**

**Order No.**

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

2. Heard learned counsel for the Petitioner as well as learned counsel for the State. Perused the application as well as documents annexed thereto.

3. The present bail application under Section 483 of BNSS, has been filed by the Petitioner for regular bail relating to Baghamari P.S. Case No.124 of 2026, corresponding to T.R. Case No.77 of 2026, pending before the learned 1st Addl. Sessions Judge-cum-Special Judge, under NDPS Act, Khordha, for alleged commission of offence punishable under Section 21(b) of N.D.P.S. Act.

4. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 25.04.2026. He further submitted that in the meantime the investigation has been concluded and the

final charge-sheet has been filed. He further submitted that although the Petitioner is having some similar criminal antecedent, however, he is ready and willing to abide by any stringent terms and conditions deems fit and proper by this Court. He further contended that the Petitioner belongs to the locality, therefore, there is no chance of his absconding. Further, referring to the allegation made in the FIR, learned counsel for the Petitioner contended that a total quantity of 12.59 grams of contraband brown sugar, which is less than the commercial quantity, has been recovered from the possession of the present Petitioner and the same is seriously disputed by him. Therefore, the bar under Section 37 of N.D.P.S. Act would not be attracted to the facts of the present case. In such view of the matter, learned counsel for the Petitioner contended that the Petitioner is ready and willing to abide by any terms and conditions as this Court deems fit and proper in the facts and circumstances of the case.

5. Learned counsel for the State, on the other hand, opposed the bail application of the Petitioner on the ground of gravity and seriousness of the allegation. He further contended that taking into consideration the fact that such cases are increasing day-by-day in the State of Odisha, no leniency should be shown to the petitioner. He further contended that the Petitioner is having some similar criminal antecedents and in the event the Petitioner is released on bail, there is every likelihood that he might abscond from justice. In such view of the matter, he submitted that the bail application of the Petitioner be rejected at this juncture.

6. 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, further keeping in view the period of detention of the Petitioner in jail custody, and the fact that the bar under Section 37 of NDPS Act would not be attracted to the facts of the present case, and the fact that the Petitioner belongs to the locality, this Court is inclined to release the Petitioner on bail subject to the Petitioner furnishing bail bond of Rs.50,000/- (Rupees Fifty Thousand) with two solvent sureties each for the like amount to the satisfaction of the learned court in seisin over the matter. The release of the Petitioner shall also be subject to such other terms and conditions as is deemed just and proper by the court in seisin over the matter.

7. The release of the Petitioner shall also be subject to following conditions:-

i) the Petitioner shall not indulge in any similar criminal offences while on bail;

ii) shall appear before the learned trial Court as and when his presence is required for the purpose of trial;

iii) shall appear before the local police station twice in a week preferably on Wednesday and Saturday for a period of two months in between 10:00 A.M. to 1:00 P.M., thereafter once in a week preferably on a Sunday for further period of two months, thereafter once in a fortnight preferably on a Sunday for further period of two months.

Violation of any of the terms and conditions shall entail cancellation of bail.

8. It is further directed that the bail granted to the Petitioner is

subject to depositing of a cash security of Rs.5,000/- (Rupees Five Thousand) before the learned Court in seisin over the matter, which shall be kept in any Nationalized Bank in interest bearing account initially for a period of one year which will be renewable from time to time till conclusion of trial and the same shall be abide by the final outcome of the trial of the case.

9. Accordingly, the BLAPL stands disposed of.

Issue urgent certified copy as per Rules.

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

S.K. Rout

Signature Not Verified
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Signed by: SANTANU KUMAR ROUT
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 05-Nov-2026 17:48:16