IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.9999 of 2026
CNR No. ODHC010743562026

Chhabindra Nayak @ Chhabi **.....** ***Petitioner***

Represented by Adv.
- Gorekhnath Das

-versus-

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

Represented by Adv.
–Mr. M.K. Mohanty,
ASC

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA
ORDER
11.11.2026

Order No.

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

2. Heard learned counsel for the Petitioner and learned counsel for the State. Perused the materials placed before this Court.

3. The present bail application under Section 483 of B.N.S.S., 2023 has been filed by the Petitioner for regular bail in connection with SPL G.R. Case No.70 of 2026 arising out of Chandpur P.S. Case No. 169 of 2026 pending in the Court of learned Sessions Judge-Cum-Spl. Judge, Nayagarh for the alleged commission of offence punishable under Section 21(b) 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 27.07.2026. He further contended that as per the F.I.R. allegation the quantity of brown sugar seized, i.e.,

15.38 grams, which was recovered from the conscious & exclusive possession of the Petitioner, which is less than the commercial quantity, a bar under Section 37 of the N.D.P.S. Act is not attracted to the facts of the present case. The learned counsel for the Petitioner submitted that the Petitioner has been falsely implicated in the present case. He further submitted that the Petitioner has no criminal antecedent and he belongs to the locality, therefore, there is no chance of absconding. In such view of the matter, learned counsel for the Petitioner submitted that the Petitioner be released on bail on any terms and conditions that would be imposed by this Court while the Petitioner release on bail.

5. Learned Additional Government Advocate appearing for the State-Opposite Party, on the other hand, opposed the release of the Petitioner on bail on the ground of gravity and seriousness of the allegation as well as the fact that in the event the Petitioner is released on bail, there is every likelihood that he might abscond, which may cause delay in trial. Therefore, he submitted that the prayer for bail 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 and further keeping the view the period of detention of the Petitioner in jail custody and 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.

7. Hence, it is directed that the Petitioner be released on bail in the aforesaid case on furnishing bail bond of Rs.50,000/-(Rupees fifty Thousand) with two local solvent sureties each for the like

amount to the satisfaction of the Court in seisin over the matter.

8. Taking into consideration to the backgrounds of the present case, this Court directed the learned Trial Court to impose an additional condition to the Petitioner i.e., the Petitioner shall appear before the concerned police station once in a fortnight preferably on Sunday between 10.00 A.M. to 01.00 P.M. for a period of three months and thereafter once in a month till the conclusion of the trial.

9. It is further directed that the bail granted to the Petitioner be subject to the condition that the court below shall verify the criminal antecedent of the Petitioner. In the event the Petitioner is having any similar criminal antecedent, then this bail order shall automatically stand revoked.

10. The BLAPL is, accordingly, disposed of.

Urgent certified copy of this order be granted as per rules.

(Aditya Kumar Mohapatra)
Judge

Binayak

Signature Not Verified
Digitally Signed
Signed by: BINAYAK SAHOO
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 12-Nov-2026 12:25:54