IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.10434 of 2026
CNR No. ODHC010773142026

Jyotiranjan Naik **.....** ***Petitioner***

Represented by Adv.
- Trilochan Nanda

-versus-

State Of Odisha **.....** ***Opposite Party***

Represented by Adv. –
P.Satpathy, A.S.C.

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
20.11.2026

Order No.

01. 1. This matter is taken up through Hybrid 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 B.N.S.S has been filed by the Petitioner for regular bail in connection with Special G.R. Case No. 07 of 2026, arising out of Bolangir Town P.S. Case No.118 of 2026, pending in the Court of learned Special Judge-cum-Sessions Judge, Bolangir for alleged commission of offence punishable under Sections 21(c) 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 13.04.2026. He further contended that the investigation has been concluded and final charge sheet has filed. Learned counsel for the Petitioner further brought it to the notice of the Court although the Petitioner is having one criminal

antecedent involving excise offence, however, he does not have any similar criminal antecedent. It was also submitted by the learned counsel for the Petitioner that the Petitioner belongs to the locality, therefore, there is no chance of his absconding.

5. Further, referring to the allegation made in the FIR, learned counsel for the Petitioner contended that as per the prosecution allegation a total quantity of 77 cough syrup bottles were recovered from the possession of the present Petitioner. He further submitted that the Petitioner was transporting the same in a good faith and that he has no idea that such transportation requires a valid permission of the authorities. It was also argued before this Court that the Petitioner is a first-time offender and he had never indulged in similar criminal activities. In such view of the matter, learned counsel for the Petitioner submitted that the bar under Section 37 of the N.D.P.S. Act would not be attracted to the facts of the Petitioner's case and, accordingly, he prayed for release of the Petitioner on bail.

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 nature of allegation and the contraband used in the present case is itself 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 taking note

of the period of the custodial detention as well as the charge sheet has been filed, 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.50,000/-(Rupees Fifty thousand) with two 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 conditions shall entail cancellation of the bail application.

9. It is further directed that the bail granted to the Petitioner shall be subject to the verification the criminal antecedent of the Petitioner. In the event it is found that the Petitioner is having any similar criminal antecedent under the offences of NDPS Act, this bail order shall automatically stand revoked.

10. The BLAPL is, accordingly, disposed of.

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(A.K. Mohapatra)
Judge

Anil

Signature Not Verified
Digitally Signed
Signed by: ANIL KUMAR SAHOO
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 20-Nov-2026 19:12:31