IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.12399 of 2025

Vikki Kumar … ***Petitioner***

Mr. S. Harichandan, Advocate

-versus-

State of Orissa … ***Opposite Party***

Mr. P. Satpathy, Addl. PP

CORAM:
JUSTICE G. SATAPATHY

ORDER(ORAL)
06.04.2026

Order No.

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

2. This is a bail application U/S.483 of BNSS by the petitioner for grant of bail in connection with Phiringia PS Case No.107 of 2025 corresponding to CT(N) Case No.83 of 2025 pending in the file of learned Special Judge, Phulbani for commission of offences punishable U/Ss.20(b)(ii)(C)/25/29 of the NDPS Act, on the main allegation of transporting 90 Kgs of Contraband Ganja in a Tata Harrier Car bearing Registration No. OD-02-BG-9249.

3. Heard, Mr. Sushanta Harichandan, learned counsel for the Petitioner and Mr. P. Satpathy, learned Addl. PP in the matter and perused the record.

4. After having considered the rival submissions upon perusal of record, there appears allegation against the Petitioner for trying to transport 90Kgs of Contraband Ganja in the Tata Harrier vehicle. This

Court, however, has the privilege to go through the certified copy of deposition of five witnesses as produced, but grant or refusal of bail for commission of offence under NDPS Act involving commercial quantity is governed by Sec. 37 of NDPS Act, which prescribes that no person accused of offence under NDPS Act involving commercial quantity shall be released on bail, where Public Prosecutor opposes such bail application; unless the Court is satisfied that there are reasonable grounds for believing that the accused is not guilty of the offence and he is unlikely to commit offence while on bail. It is alleged that the present Petitioner was apprehended from the spot along with Contraband article, but the quantity of Contraband article allegedly seized in this case is much above the commercial quantity and thereby, the Petitioner has to satisfy the conditions of Sec. 37 NDPS Act for his release on bail. On a careful scrutiny of the materials placed on record together with the evidence of the witnesses as produced, this Court hardly finds the Petitioner to have satisfied the conditions of Sec. 37 of NDPS Act.

5. Hence, the bail application of the petitioner stands rejected. Accordingly, the BLAPL stands disposed of. A soft copy of this order be immediately transmitted to the learned trial Court.

(G. Satapathy)
Judge

Signature Not Verified
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Signed by: PRIYAJIT SAHOO
Reason: Authentication
Location: HIGH COURT OF ORISSA
Date: 07-Apr-2026 11:04:54

Priyajit