IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.11869 of 2026
CNR No. ODHC010866082026

Sarvasudhi Balaji @balu @s.balaji ..... ***Petitioner***

Represented by Adv. - Soubhagya Kumar Dash

-versus-

STATE OF ODISHA ..... ***Opposite Parties***

Represented by Adv. – Mr. R.B. Mishra, AGA

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
26.11.2026

Order No.

01. 1. This matter is taken up through Hybrid Mode.

2. Heard learned counsel appearing for the Petitioner and learned Additional Government Advocate 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 G.R. Case No.81 of 2026, arising out of Paralakhemundi P.S. Case No.331 of 2026, pending in the Court of learned Sessions Judge-cum-Special Judge, Gajapati, Paralakhemundi for alleged commission of offence punishable under Sections 20(b)(ii)(B) of the N.D.P.S. Act.

4. It is stated by the learned counsel for the Petitioner that the Petitioner is in custody since 26.09.2026. He further submitted that in the meantime, investigation has progressed substantially and final charge sheet is likely to be filed very soon. He further contended that although the Petitioner is having one similar criminal antecedent, however he is ready and willing to abide by any condition that will be imposed by this Court, in the event he is released on bail. He further submitted that the Petitioner belongs to locality, therefore there is no chance of 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 11 kgs of ganja has been recovered in this case from the co-accused persons. He further submitted that on the basis of implication of the present Petitioner is the co-accused statement. He further contended that nothing has been recovered from the present Petitioner, hence the bar under Section 37 would not be attracted to the facts of the Petitioner's case. On such ground, learned counsel for the Petitioner prayed for release of the Petitioner on bail.

6. 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 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 Government Advocate submitted that nature of allegation and the contraband used in the present case is itself a threat to the society. Therefore, she submitted that the prayer for bail of the Petitioner be rejected at

this juncture.

7. Having regard to the submissions made by the learned counsels appearing for both sides and on a careful examination of the nature and gravity of the allegation, further taking note of the fact that nothing has been recovered from the possession of the present Petitioner and the case has been implicated on the basis of co-accused statements, 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 solvent sureties each for the like amount to the satisfaction of the Court in seisin over the matter.

9. 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.

10. It is further directed that the bail granted to the Petitioner shall be subject to the verification of the criminal antecedent of the Petitioner and the fact that nothing has been recovered from the possession of the present Petitioner as per the seizure list and that the Petitioner does not have more than one similar criminal antecedent, in the event it is found that recovery has been made from the possession of the present Petitioner and that he has more than one similar criminal antecedent, this bail order shall automatically stand revoked.

11. The BLAPL is, accordingly, disposed of.

(A.K. Mohapatra)
Judge

Sisir

Signature Not Verified
Digitally Signed
Signed by: SISIR KUMAR SETHI
Designation: Personal Assistant
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 26-Nov-2026 17:16:08