



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5817 of 2026

CNR No.ODHC010425372026

(In the matter of application under Section 483 of the BNSS).

Sk. Imran @ Sadam @ Sk. Ibrahim ... ***Petitioner***

-versus-

State of Odisha ... ***Opposite Party***

For Petitioner : ***Mr. A.S.Paul, Advocate***

For Opposite Party : ***Mr. P.Satapathy, Addl. PP***

CORAM:

JUSTICE G. SATAPATHY

DATE OF HEARING & DATE OF JUDGMENT:06.08.2026 (ORAL)

G. Satapathy, J.

1. This is a bail application U/S.483 of BNSS by the petitioner for grant of bail in connection with Mancheswar PS Case No.414 of 2023 corresponding to TR Case No. 505 of 2023 pending in the file of learned District & Sessions Judge, Khurda, for commission of offences punishable U/Ss. 20(b)(ii)(C) of NDPS Act, on



the main allegation of supplying contraband article to co-accused persons.

2. Heard Mr.Amlan Shakti Paul, learned counsel for the petitioner and Mr.P.Satapathy, learned Addl. PP in the matter and perused the record.

3. Admittedly, the petitioner was not apprehended from the spot, but his name finds place in the FIR. The quantity of Contraband Ganja seized in this case is 30Kgs, which is coming under commercial quantity. 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 shall be released on bail; where the 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. The petitioner has long checkered criminal history of 12 criminal cases, which is an adverse circumstance against the petitioner for



satisfying the Court about the unlikelihood of his committing offence while on bail, but the same is an condition precedent for grant of bail to an accused of offence under NDPS Act involving commercial quantity in terms of Sec. 37 of NDPS Act. It is no doubt advanced for the petitioner that he was implicated in this case on the basis of statement of co-accused and thereby, he is stated to have satisfied the conditions of Sec. 37 of NDPS Act. In answering such submissions, this Court considers it profitable to refer to the decision in ***Union of India Vrs. Ajay Kumar Singh @ Pappu; (2023) SCC Online SC 346***, wherein at paragraph nos. 9 & 11 the Apex Court has held as under: -

"9. The driver of the vehicle Om Prakash Yadav revealed that he was driving the truck with the co-accused Amit Yadav as helper of one Bittu Dada of Jamshedpur and at the behest of Shri Ram Pravesh Yadav, resident of Ballia, he had gone to Jamshedpur where the acquaintance of respondent-accused gave him the truck which was loaded with ganja for safe delivery in lieu of Rs.50,000/-. He further informed that the respondent-accused indulges in illicit trade of ganja.

11. The information revealed by the above two accused persons indicated that both of



*them knew the respondent-accused and that they had connived with him to transport the illicit ganja and that they were in direct contact with the respondent-accused all through on his mobile number. **The facts as unfurled from the complaint/FIR and the statements of the above two accused persons recorded under Section 67 of the NDPS Act reveals that respondent-accused is the kingpin and the organizer of the illicit trade in ganja.***"

4. In view of the aforesaid facts and circumstances and taking into account the long checkered criminal history of the petitioner with his implication as discernible from the charge sheet in this case and he having not satisfied the mandatory conditions of Sec.37 of NDPS Act, this Court is not inclined to grant bail to the petitioner at this stage.

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 concerned Court for compliance.

(G. Satapathy)
Judge

*Orissa High Court, Cuttack,
Dated the 6th day of August, of 2026/ Kishore*