



**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No. 11386 of 2025**

***Chhabi Naik***

....

***Petitioner***

Mr. S.R. Panda, Advocate

*-versus-*

***State of Odisha***

....

***Opposite Party***

Mr. A.K. Apat, AGA

**CORAM: JUSTICE V. NARASINGH**

**ORDER**

**01.10.2025**

**Order No.**

- 01.** 1. Heard learned counsel for the Petitioner and learned counsel for the State.
2. The Petitioner is seeking pre-arrest bail in connection with Special Case No.23 of 2025 pending on the file of learned Sessions Judge-cum-Special Judge, Keonjhar arising out of Keonjhar Sadar P.S. Case No.437 of 2025 for commission of offences punishable under Sections 21(b)/29 of the NDPS Act.
3. It is submitted by the learned counsel that the Petitioner has been arrayed as an accused on the basis of the statement of the co-accused being involved in the transportation of contraband (brown sugar) having net weight of 141 grams.
4. It is further submitted that the co-accused, who was taken to custody, has since been released



on bail. Hence, the Petitioner may be protected by pre-arrest bail.

5. Learned counsel for the State opposes the prayer for pre-arrest bail.

6. Taking into account the nature of allegation, since the investigation is at a nascent stage and keeping in view the rigors of Section 37(1)(b)(ii) of the NDPS act as well as the judgment of the Apex Court in the case of **State of Madhya Pradesh vs. Kajad, (2001) 7 SCC 673**, this Court is not inclined to entertain the application for grant of exceptional remedy of pre-arrest bail.

7. It shall be open for the Petitioner to surrender and move for bail and urge all the grounds before the learned Court in seisin including the implication at the behest of the co-accused. If such an application is filed, the same shall be considered on its own merit.

8. Accordingly, the ABLAPL stands disposed of.

9. U.C.C. as per rules.

**(V. NARASINGH)**  
**Vacation Judge**

**Santoshi**