



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

**ABLAPL No.5731 of 2026**

**Jeevan @ Jeban Samajdar** .... **Petitioner**  
Mr. S. Das, Advocate

**-Versus-**

**State of Odisha** .... **Opposite Party**  
Mr. S.R. Pattanaik, AGA

**CORAM:**  
**MR. JUSTICE R.K. PATTANAİK**

**ORDER**  
**15.07.2026**

**Order No.**  
**02.**

1. Heard learned counsel for the petitioner and State.
2. Instant petition has been filed under Section 482 BNSS by the petitioner seeking pre-arrest bail in connection with Motu P.S. Case No.45 of 2022 corresponding to Special G.R. Case No.77 of 2022 pending in the file of learned Sessions Judge-cum-Special Judge, Malkangiri on the grounds stated.
3. Perused the FIR as at Annexure-1. Recorded the submissions of Mr. Das, learned counsel for the petitioner with reference to the orders in the BLAPLs as at Annexures-2 and 3. The further submission of Mr. Das, learned counsel for the petitioner is that the petitioner is not involved in the alleged transportation of contraband Ganja. It is also submitted that the co-accused persons are on bail vide Annexures-2 and 3. The copies of the witnesses examined in Special G.R. Case No.77 of 2022 are produced by Mr. Das, learned counsel to claim that they have turned hostile and have not supported the prosecution



case. The copy of the seizure memo dated 10<sup>th</sup> May, 2022 is produced at the time of hearing to claim that the witnesses examined as P.Ws.1 and 2 are parties to the seizure of the contraband Ganja and they turned hostile. With such submission, Mr. Das, learned counsel for the petitioner submits that the present accused is entitled to go on bail, which is seriously opposed by Mr. Pattnaik, learned AGA for the State since the recovery relates to 370 Kgs 800 grams of contraband Ganja. The co-accused persons, namely, Bipul Gharami and Nakul @ Susanta Gharami are on bail by the orders in the BLAPLs (supra). Since, no one was arrested at the spot when the alleged recovery was made from a pick-up van and considering the release of the co-accused persons named above and that in course of trial, there has been hostile evidence from material witnesses to the seizure, this Court, though not in favour of entertaining the bail plea is inclined to direct release of the petitioner upon his surrender before the learned court below subject to conditions.

4. Accordingly, it is ordered.

5. In the result, the ABLAPL is disposed of with the direction as aforesaid. It is further directed that in the event, the petitioner surrenders before the court of learned Sessions Judge-cum-Special Judge, Malkangiri in connection with Special G.R. Case No.77 of 2022 corresponding to Motu P.S. Case No.45 of 2022 within a fortnight from today, he shall be released on bail upon furnishing bail bonds of Rs.50,000/-



(rupees fifty thousand) with one solvent surety for the like amount with such other conditions imposed by learned court below as deemed just and proper in the facts and circumstances of the case.

6. Issue urgent certified copy of this order as per rules.

**(R.K. Pattanaik)**  
**Judge**

**Balaram**

**Signature Not Verified**

Digitally Signed  
Signed by: BALARAM BEHERA  
Designation: PERSONAL ASSISTANT  
Reason: Authentication  
Location: OHC, CUTTACK  
Date: 20-Jul-2026 15:52:13

