IN THE HIGH COURT OF ORISSA AT CUTTACK

Hemanta Pruseth @ Aditya … ***Petitioners***
(In BLAPL No.1573 of 2026)
Dharani Bagarti
(In BLAPL No.1645 of 2026)

Mr. S. Bahadur, Advocate
(In BLAPL No.1573 of 2026)
Mr. S.S. Pattnaik, Advocate
(In BLAPL No.1645 of 2026)

-versus-

State of Odisha … ***Opposite Party***

Mr. C. Mohanty, Addl. PP

CORAM: JUSTICE G. SATAPATHY

ORDER(ORAL):08.04.2026

Order No.

01. 1. These matters are taken up through Hybrid Arrangement (Virtual/Physical Mode).

2. Since these two bail applications arise out of one and same case record, the same are heard together and disposed of by this common order with the consent of the learned counsel for the parties.

3. These are bail applications U/S.483 of BNSS by the petitioners for grant of bail in connection with Sundargarh Town PS Case No.407 of 2025 corresponding to Special GR Case No.128/01 of 2025-26 (GR Case No.128 of 2025) pending in the Court of learned Additional District and Sessions Judge, Sundargarh, for commission of offences punishable U/S.21(C)/25/29 of NDPS Act, on the main allegation of transporting 235bottles of 100ml Corex Cough Syrup containing codeine phosphate in a Bolero bearing Regd. No.OD-16-A-4035, along with co-accused persons.

4. Heard, Mr. Samarendra Bahadur, learned counsel for the petitioner in BLAPL No.1573 of 2026, Mr. Sumit Sekhar Pattnaik, learned counsel for the petitioner in BLAPL No.1645 of 2026 and Mr. C. Mohanty, learned Addl. PP in these matters and perused the record. On being queried about the criminal antecedents of the petitioners, Mr. Bahadur and Mr. Pattnaik jointly volunteer to withhold bail to the petitioners, if he/they is/are found to have any criminal antecedent of similar nature for commission of offence under NDPS Act.

5. Admittedly, the petitioners are in custody since 15.09.2025, but in the meantime, charge-sheet has already been submitted, however, there is no immediate prospect of trial, but it is claimed that the petitioners are not having any criminal antecedent of similar nature. In such view of the matter and taking into consideration the materials placed on record, the petitioners would be considered to have satisfied the conditions of Section 37 of NDPS Act, if they are not having any criminal antecedent of similar nature.

6. For the reasons stated hereinabove and taking into account the custodial period of the petitioners and keeping in view the grant of bail to co-accused namely Jitendra Kishan & Jambeswar Chita (In BLAPL No.22 of 2026) and Altaf Ansari @ Singh (In BLAPL No.408 of 2026), this Court without expressing any view on merit admits each of the petitioners to bail, but subject to

verification of their criminal antecedents for similar nature.

7. Hence, these two bail applications of the petitioners namely Hemanta Pruseth @ Aditya (In BLAPL No.1573 of 2026) and Dharani Bagarti (In BLAPL No.1645 of 2026) stand allowed and the petitioners are allowed to go on bail on furnishing bail bonds of Rs.1,00,000/- (Rupees One Lakh) each with two solvent sureties for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper by it.

In view of the specific submission for the petitioners, the benefit of the aforesaid order shall not be extended to the concerned petitioner(s), if he/they is/are found to have criminal antecedent(s) of similar nature for commission of offence under NDPS Act.

8. Accordingly, these BLAPLs stand disposed of. Issue urgent certified copy of the order as per Rules. A soft copy of this order be immediately communicated to the concerned Court, who shall afterwards communicate the same to the concerned Jail through e-mail for reference.

(G. Satapathy)
Judge

Subhasmita

Signature Not Verified
Digitally Signed
Signed by: SUBHASMITA DAS
Designation: Sr. Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 09-Apr-2026 11:17:23