IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.5195 of 2026
CNR No. ODHC010388282026

Pratap Kumar Digal ..... ***Petitioner***

Represented by Adv. –
Mr. Rashmi Ranjan Mishra

-versus-

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

Represented by Adv. –

Miss. Babita Kumari Sahu, AGA

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
28.10.2026

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. Heard learned counsel for the Petitioner as well as learned counsel for the State-Opposite Party. Perused the application as well as documents annexed thereto.

3. The present bail application under Section 483 of BNSS, 2023, has been filed by the Petitioner for regular bail relating to Khordha Excise (Mobile Unit) P.R. Case No.387 of 2025-26, corresponding to T.R. Case No.159 of 2025, pending before the learned 1st Addl. Sessions Judge-cum-Special Judge, Khordha, for alleged commission of offence punishable under Section 20(b)(ii)(C) of N.D.P.S. Act.

4. It is submitted by the learned counsel for the Petitioner that the

Petitioner is in custody since 30.12.2025. He further contended that investigation in this case has substantially progressed in the meantime. Further, referring to the allegation made in the FIR, learned counsel for the Petitioner contended that a total quantity of 23 Kgs. of contraband ganja has been recovered from the two accused persons including the present Petitioner. He further contended that the Petitioner belongs to the locality, therefore, there is no chance of his absconding. He further submitted that although the Petitioner is having two similar criminal antecedents, however he is ready and willing to abide by any terms and conditions that would be imposed by this Court in the event he is released on bail. On such grounds, learned counsel for the Petitioner prayed for release of the Petitioner on bail.

5. Learned counsel for the State, on the other hand, opposed the release of the Petitioner on bail on the ground of gravity and seriousness of the allegation. He further contended that in the event the Petitioner is released on bail, there is every likelihood that he might indulge in similar criminal offence. She further contended that taking into consideration the fact that such cases are increasing day-by-day in the State of Odisha, no leniency should be shown to the petitioner. On such grounds, learned counsel for the State submitted that the prayer for bail of the Petitioner be rejected at this juncture.

6. Having heard the learned counsels appearing for the respective parties and on a careful examination of the surrounding facts and circumstances of the present case, further keeping in view the period of detention of the Petitioner in jail custody, and the fact that the Petitioner belongs to the locality, this Court is inclined to release the Petitioner on bail subject to the Petitioner 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 learned court in seisin over the matter. While imposing conditions, the court in seisin over the matter shall also impose the following additional conditions:-

I. He shall not indulge in similar criminal activities while on bail;

II. He shall appear before the local police station one in a fortnight, preferably on 'Sunday' in between 10.00 A.M. to 1.00 P.M. for a period four months; and

III. He shall furnish a cash security of Rs.5,000/- (Rupees five thousand) before the court in seisin over the matter which shall be kept in interest bearing fixed deposit account in the name of the court in any nationalized bank for a period of one year which shall be renewed from time to time till disposal of the case. The said deposit shall be subject to the final outcome of the trial.

7. 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 imposed either by this Court or the court in seisin over the matter shall entail cancellation of the bail.

8. It is further directed that the bail granted to the Petitioner be subject to the condition that the court below shall verify the criminal antecedent of the Petitioner. In the event the Petitioner is having more than two similar criminal antecedents, then this bail order shall automatically stand revoked.

9. Accordingly, the BLAPL stands disposed of.

Issue urgent certified copy as per Rules.

(A.K. Mohapatra)
Judge

Debasis

Signature Not Verified
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Signed by: DEBASIS AECH
Designation: SECRETARY
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 30-Oct-2026 14:51:28