IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.6992 of 2026
CNR No. ODHC010496392026

Jitendra Mohapatra **.....** ***Petitioner***

Represented by Adv. - Rakesh Behera

-versus-

State Of Odisha **.....** ***Opposite Parties***

Smt. S. Nayak, ASC

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
31.10.2026

Order No.

01. 1. This matter is taken up through Hybrid mode.

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

3. The present bail application under Section 483 of BNSS, has been filed by the Petitioner for regular bail relating to Parjanga P.S. Case No.425 of 2025, corresponding to C.T.(Spl.) NDPS Case No.15 of 2025, pending before the learned Addl. Sessions Judge-cum-Judge Special Court, Kamakhyanagar, for alleged commission of offence punishable under Section 20(b)(ii)(C) of N.D.P.S. Act read with Section 52(a)(i) of the Odisha Excise (Amendment) Act, 2016.

4. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 26.06.2026. He further contended

that in the meantime the investigation has been concluded and the final charge-sheet has been filed. He further contended that the Petitioner has been falsely implicated in the present case only on the basis of the co-accused statement. He further contended that the co-accused person, namely Gulam Kuldi has already been enlarged on bail by a Coordinate Bench of this Court vide order dated 04.05.2026 in BLAPL No.3060 of 2026. Learned counsel for the Petitioner further contended that although the Petitioner is having one similar criminal antecedent, however, he is ready and willing to abide by any terms and conditions deems fit by this Court. He further contended that the Petitioner belongs to the locality, therefore, there is no chance of his absconding. In such view of the matter, learned counsel for the Petitioner contended that the Petitioner is ready and willing to abide by any terms and conditions as this Court deems fit and proper in the facts and circumstances of the case.

5. Learned counsel for the State, on the other hand, opposed the bail application of the Petitioner. 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. She further contended that the Petitioner is a habitual offender. Therefore, the release of the Petitioner would cause delay in conclusion of the trial. In such view of the matter, she submitted that the bail application 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 charge-sheet has been filed in the meantime, 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.1,00,000/- (Rupees One Lakh) with two solvent sureties each for the like amount to the satisfaction of the learned court in seisin over the matter. The release of the Petitioner shall also be subject to such other terms and conditions as is deemed just and proper by the court in seisin over the matter.

7. The release of the Petitioner shall also be subject to following conditions:-

i) the Petitioner shall not indulge in any similar criminal offences while on bail;

ii) shall appear before the local police station once in a fortnight for a period of three months preferably on a Sunday in between 10:00 A.M. to 1:00 P.M, thereafter, once in a month till conclusion of the trial.

Violation of any of the terms and conditions shall entail cancellation of 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 one similar criminal antecedent under N.D.P.S. Act, then this bail order shall automatically stand revoked.

9. It is further directed that the bail granted to the Petitioner is subject to depositing of a cash security of Rs.5,000/- (Rupees Five Thousand) before the learned Court in seisin over the matter, which

shall be kept in any Nationalized Bank in interest bearing account initially for a period of one year which will be renewable from time to time till conclusion of trial and the same shall be abide by the final outcome of the trial of the case.

10. Accordingly, the BLAPL stands disposed of.

Issue urgent certified copy as per Rules.

(Aditya Kumar Mohapatra)
Judge

S.K. Rout

Signature Not Verified
Digitally Signed
Signed by: SANTANU KUMAR ROUT
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 03-Nov-2026 16:24:51