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

**BLAPL No.8678 of 2026**
**CNR No. ODHC010615992026**

***Prasant Pradhan @ Budu*** .... ***Petitioner***

Mr. L. Mahapatra, Advocate

*-versus-*

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

Mr. S. Panigrahi, ASC

**CORAM: JUSTICE V. NARASINGH**

**ORDER**

**27.10.2026**

**Order No.**

01. 1. Heard learned counsel for the Petitioner and learned counsel for the State.

2. The Petitioner is an accused in connection with T.R. Case No.69/54 of 2023, pending on the file of learned 2nd Addl. Sessions Judge, Bhubaneswar, arising out of **Bharatpur P.S. Case No.47 of 2023** for alleged commission of offences under Section 20(b)(ii)(C)/29 of NDPS Act.

3. Learned counsel, on instruction, submits that except the present BLAPL, no other bail application of the Petitioner relating to the aforementioned P.S. case is pending in any other Court.

4. Being aggrieved by the rejection of his application for bail U/s.483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) by the learned 2nd Addl.

Sessions Judge, Bhubaneswar by order dated 07.08.2026 in the aforementioned case, the present BLAPL has been filed.

5. It is submitted that the Petitioner is in custody since 30.01.2023 on the accusation of possession of contraband (ganja) to the tune of 22 Kgs 100 grams.

6. It is stated that charge sheet in the case at hand has already been submitted and the co-accused have been released on bail and it is stated that the Petitioner does not have any criminal proclivity of similar nature. Hence, he may be released on bail.

7. It is stated that in the case at hand the wrong weighment cannot be ruled out so as to bring it within the rigors of Section 37(1)(b)(ii) of the NDPS Act.

8. Learned counsel for the State opposes the prayer for bail in view of twin bar contained in Section 37(1)(b)(ii) of NDPS Act.

9. Taking into account the nature of allegations and release of the co-accused and the quantity of contraband involved, this Court directs the Petitioner to be released on bail on such terms to be fixed by the learned Court in seisin subject to verification of criminal antecedent of similar nature.

10. If it comes to the fore that the Petitioner has any such criminal antecedent, this order shall not be given effect to.

11. Registry is requested to send a copy of this order via electronic mode to the Superintendent of the concerned Jail, in addition to the communication through Order Communication Portal (OCP) of this Court.

12. Accordingly, the BLAPL stands disposed of. U.C.C. as per rules.

***(V. Narasingh)***
***Judge***

Ayesha

Signature Not Verified
Digitally Signed
Signed by: AYESHA ROUT
Designation: Senior Stenographer
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 28-Oct-2026 18:40:47