IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8820 of 2026
CNR No. ODHC010659872026

Jhili Mallick ….. ***Petitioner***

Mr. P. Panigrahi, Advocate

-versus-

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

Mr. C. R. Swain, AGA

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 Spl. (NDPS) Case No.26 of 2026 pending on the file of learned District & Sessions Judge-cum- Special Judge Bhadrak, arising out of **Bhadrak Town P.S. Case No.168 of 2026** for commission of offence alleged under Section 20(b)2(i)(C) 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 District and Session Judge-Cum-Special Judge, Bhadrak by order dated

03.08.2026 in the aforementioned case, the present BLAPL has been filed.

5. It is submitted by the learned counsel that the present Petitioner was before this Court in BLAPL No.3659 of 2026 which was disposed of on 05.05.2026 along with BLAPL No.3541 of 2026 rejecting their prayer for bail during the currency of investigation in the light of the rigors of Section 37(1)(b)(ii) of NDPS Act.

6. It is stated that, in the meanwhile, charge sheet has been filed and the co-accused persons, who are similarly placed, have since been enlarged on bail vide order dated 13.08.2026 in BLAPL Nos.6213 and 8196 of 2026. Hence, on the ground of parity, the Petitioner seeks release on bail.

7. Learned counsel for the State opposes the prayer for bail.

8. It is borne out from the orders passed by this Court in respect of the co-accused that the prosecution has relied on 24 witnesses to drive home the charge and referring to the same, it is submitted that the trial is likely to linger and it is also stated by the learned counsel for the Petitioner that wrong vehement in the case at hand cannot be ruled out so as to attract the rigors of Section 37(1)(b)(ii) of NDPS Act.

9. Taking into account the rival submissions, considering the release of the co-accused and that the Petitioner is a lady, this Court directs the Petitioner to be released on bail on such terms to be fixed by the learned Court in seisin so as to ensure his presence during the trial.

The forums below are requested to verify the criminal antecedents of the Petitioner of any nature.

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

10. Accordingly, the BLAPL stands disposed of.

U.C.C. as per rules.

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.

(V. NARASINGH)
Judge

Jina

Signature Not Verified
Digitally Signed
Signed by: JINA DIGAL
Reason: Authentication
Location: High Court of Orissa
Date: 28-Oct-2026 19:09:05