IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.9419 of 2026
CNR No. ODHC010705512026

Raja Pattnaik @ Sujit Kumar Pattnaik ..... ***Petitioner***

Represented by Adv. - Amulya Ratna Panda

-versus-

State Of Odisha ..... ***Opposite Party***

Represented by Adv. – U.C. Jena, A.S.C.

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

ORDER
27.10.2026

Order No.

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

2. Heard learned counsel appearing for the Petitioner and learned Additional Standing Counsel appearing for the State-Opposite Party. Perused the materials placed before this Court.

3. The present bail application under Section 483 of B.N.S.S has been filed by the Petitioner for regular bail in connection with Special Case (NDPS) No.10 of 2024, arising out of STF Bhubaneswar P.S. Case No.03 of 2024, pending in the Court of learned Sessions Judge-cum-Special Judge, Boudh for alleged commission of offence punishable under Sections 20(b)(ii)C/29 of the N.D.P.S. Act.

4. The brief fact of the case is that on 23.01.2024 at about 5.30 p.m. to the effect that on 22.01.2024 at about 1.30 p.m., the

informant received credible information from his source to the effect that, one person has stored huge quantity of contraband ganja by the side of NH-57, near the village Kalahandi. He was also planning to deliver the same contraband ganja to a customer at the spot and was trying for immediate shifting of said ganja in between 5.00 a.m. to 6.00 a.m. on 23.01.2024. On getting such information, they reached at the spot at about 5.00 a.m. and their spy identified the persons from a distance, who were standing near the contraband articles and conversing with each other. He along with other team members proceeded to apprehend them. On seeing them, one of the persons could escape from the spot by one motor cycle. However, they caught hold one of them. They also found five plastic jari bags lying near him under his possession. On being asked, he disclosed the name and address of the person who could manage to escape from the spot as Raja Pattnaik. After verification it was found nothing but ganja to the tune of 143 kg 450 grams.

5. Learned counsel for the Petitioner submits that this Petitioner being arrested in the case and he is in custody since 25.05.2026. In the meantime, charge sheet has already been submitted on 19.07.2024. He further submits that the Petitioner has no knowledge about the transportation of Ganja. With such allegation in the absence of any material to support the nexus between the Petitioner and the seized ganja as also any such related activity of the Petitioner as alleged; he urges for grant of bail to the Petitioner when there remains no scope on his part to flee from justice or tamper the evidence and as the question of tampering the evidence does not arise.

6. Learned Additional Standing Counsel appearing for the

State-Opposite Party, on the other hand, opposed the release of the Petitioner on bail on the ground that in the event the Petitioner is released on bail, there is a possibility that he might be involved in similar criminal offences. Learned Additional Standing Counsel submitted that nature of allegation and the contraband used in the present case is itself a threat to the society. Therefore, he submitted that the prayer for bail of the Petitioner be rejected at this juncture.

7. 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 and further keeping the view the period of detention of the Petitioner in jail custody and the fact that the Petitioner does not have any similar criminal antecedent, this Court is inclined to release the Petitioner on bail subject to imposition of stringent conditions.

8. Hence, it is directed that the Petitioner be released on bail in the aforesaid case on furnishing bail bond of Rs.50,000/-(Rupees Fifty thousand) with two local solvent sureties each for the like amount to the satisfaction of the Court in seisin over the matter. While imposing conditions, the learned trial court shall impose the following conditions: -

I) the Petitioner shall not be involved in any offence of similar nature while on bail;

II) he shall not tamper with the prosecution evidence or try to threaten or influence the witnesses in any manner whatsoever;

III) he shall not make any default in attending the court during trial on each date without fail;

IV) he shall appear before the concerned Police Station once in a

fortnight preferably on ‘Sunday’ in between 10.00 A.M. to 1.00 P.M. till conclusion of the trial.

Violation of any of the above conditions shall entail cancellation of the bail.

9. 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 shall entail cancellation of the bail application.

10. It is further directed that the bail granted to the Petitioner is subject to the condition that the court below shall verify the criminal antecedent of the Petitioner. In the event it is found that the Petitioner is having any similar criminal antecedent under the offences of NDPS Act, this bail order shall automatically stand revoked.

11. The BLAPL is, accordingly, disposed of.

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(A.K. Mohapatra)
Judge

Anil

Signature Not Verified
Digitally Signed
Signed by: ANIL KUMAR SAHOO
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 28-Oct-2026 18:49:28