IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.9527 of 2026
CNR No. ODHC010717252026

Minaketan Digal and another **.....** ***Petitioners***

Represented by Adv. - Kuldeep Mohanty

-versus-

State of Orissa **.....** ***Opposite Parties***

Mr. U.C. Jena, ASC

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

ORDER
28.10.2026

Order No.

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

2. Heard learned counsel for the Petitioners 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 Petitioners for regular bail relating to K. Nuagaon P.S. Case No.98 of 2026, corresponding to C.T. Case No.155 of 2026, pending before the learned Special Judge-cum-ADJ, Balliguda, for alleged commission of offence punishable under Sections 20(b)(ii)(C), 29 of N.D.P.S. Act.

4. It is submitted by the learned counsel for the Petitioners that the Petitioners are in custody since 23.06.2026. He further contended that in the meantime the investigation has progressed substantially and the final charge-sheet is likely to be filed soon. He further contended that the Petitioners belong to the locality,

therefore, there is no chance of their absconding. He further submitted that although the Petitioners have similar criminal antecedents, however, the Petitioners have been taken on remand in those cases on a single day.

5. Further, referring to the allegation made in the FIR, learned counsel for the Petitioners contended that a total quantity of 34.8 Kgs. of contraband Ganja has been recovered from two accused persons. He further submitted that such seizure from the exclusive and conscious possession of the present Petitioners is seriously disputed by the present Petitioners. In such view of the matter, learned counsel for the Petitioners contended that the bar under Section 37 of N.D.P.S. Act would not be attracted to the facts of the present case. In such view of the matter, learned counsel for the Petitioners contended that the Petitioners are 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.

6. Learned counsel for the State, on the other hand, opposed the bail application of the Petitioners. 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 petitioners. In such view of the matter, she submitted that the bail application of the Petitioners 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, further keeping in view the period of detention of the Petitioners in jail custody, and the fact that the bar under Section 37 of NDPS Act would not be attracted to the facts of the present case, and the fact that the Petitioners belong to the locality, this Court is inclined to release the Petitioners on bail

subject to each of the Petitioners furnishing bail bond of Rs.40,000/- (Rupees Forty Thousand) 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 Petitioners shall also be subject to such other terms and conditions as is deemed just and proper by the court in seisin over the matter.

8. The release of the Petitioners shall also be subject to following conditions:-

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

ii) shall cooperate with the investigation and appear before the I.O. as and when their presence is required and shall cooperate with the early conclusion of the investigation;

iii) shall appear before the learned trial Court as and when their presence is required for early conclusion of the trial;

iv) 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.

Violation of any of the terms and conditions shall entail cancellation of bail.

9. 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: 29-Oct-2026 18:14:22