IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.9505 of 2026
CNR No. ODHC010717382026

Pramod Kumar Tandi @ Tuna Tandi ..... ***Petitioner***

Represented by Adv. - Uma Charan Mishra

-versus-

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

Smt. S. Nayak, 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 Petitioner as well as learned counsel for the State. Perused the bail application as well as the documents annexed thereto.

3. This is an application under Section 439 Cr.P.C. for grant of bail to the Petitioner in connection with C.T. Case No.35 of 2021, registered under Sections 20(b)(ii)(C), 29 of the NDPS Act, in connection with Kesinga P.S. No.240 of 2021 pending in the court of learned Sessions Judge-cum-Special Judge, Kalahandi for alleged possession of contraband ganja weighing 251 K.G. 960 gram.

4. It is submitted that the Petitioner has been taken custody in the present case while arrested and was kept in custody in connection with another case, without any material available against

him and basing only on the statement of co-accused. It is further submitted that neither the Petitioner was present at the spot nor anything was recovered from his possession to satisfy the allegations against him.

5. The Petitioner is inside custody from 5th August 2024 in the present case.

6. Upon hearing learned counsel for the State and going through the record, it is seen that the co-accused namely, Milikshya Tandi was arrested from the spot where the alleged contraband ganja were kept in the house of one Juel Senapati. According to the prosecution case this co-accused Milikshya Tandi stated the name of this present Petitioner to be an alleged trader of ganja and based on his statement the present case is registered against the Petitioner and he was taken into custody.

7. It is found that the Petitioner has been taken on remand in the present case while inside custody in connection with another case relating to the offences under NDPS Act and admittedly neither from the house of the Petitioner nor from his possession any contraband was seized.

8. Upon hearing both parties and considering the materials available against the Petitioner in the present case there appears reasonable grounds to believe the innocence of the Petitioner and as such this Court is inclined to grant bail to him.

9. Accordingly, it is directed to release the Petitioner on bail in the aforesaid case on such terms and conditions to be fixed by the learned court in seisin over the matter including the 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 four 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;

iii) shall not leave the jurisdiction of the learned trial Court till conclusion of the trial without taking specific permission of the learned trial Court.

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

10. Accordingly, the BLAPL is disposed of.

Issue urgent certified copy of this order 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 18:14:21