**IN THE HIGH COURT OF ORISSA AT CUTTACK**
**BLAPL No.9797 of 2026**
**CNR No. ODHC010734512026**

***Vishal Shamrao Pawar @ Pawar V.S*** ..... ***Petitioner***

Represented by Adv. - Suchit Kumar Nayak

*-versus-*

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

Represented by Adv. -Mr. S.K.Rout, A.S.C.

**CORAM:**
**MR. JUSTICE ADITYA KUMAR MOHAPATRA**

**ORDER**

**Order No.** **26.11.2026**

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical 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 G.R. Case No.79 of 2026, arising out of Mohana P.S. Case No.150 of 2026, pending in the Court of learned Sessions Judge-cum-Spl. Judge, Gajapati, At- Paralakhemundi for alleged commission of offence punishable under Sections 20(b)(ii)C/29 of the N.D.P.S. Act.

4. It is submitted by the learned counsel for the Petitioner

that the Petitioner is in custody since 26.07.2026. He further contended that, in the meantime, investigation has been concluded and final PR has been submitted. He further contended that the Petitioner does not have any similar criminal antecedent. He also fairly contended that, although the Petitioner does not belong to the State of Odisha, he is ready and willing to abide by any stringent terms and conditions that may be imposed by this Court in the event of his release on bail.

5. Further referring to the allegations made in the F.I.R., learned counsel for the Petitioner contended that, as per the prosecution case, a total quantity of 44 kg of contraband Ganja was seized from a bus stop where the Petitioner, along with co-accused Rani Beero, was waiting to board a bus. He further submitted that the alleged seizure having been effected from a public place, it cannot be conclusively established that the contraband was recovered from the exclusive and conscious possession of the present Petitioner. It was further contended that, having regard to the circumstances leading to the alleged seizure, coupled with the fact that the Petitioner does not have any similar criminal antecedents, the rigours of Section 37 of the NDPS Act would not be attracted in the facts and circumstances of the present case. In such view of the matter, learned counsel for the Petitioner submitted that the Petitioner be released on bail on any terms and condition which the Petitioner undertakes to abide by while on bail.

6. Learned Additional Standing Counsel on the other hand

opposed the bail application of the Petitioner on the ground that such cases are increasing day-by-day and no leniency should be shown to the petitioner. He further submitted that the Petitioner belongs to State of Maharashtra, therefore, release of the Petitioner be difficult to ensure the appearance of the Petitioner before the Trial Court during trial. In such view of the matter, he submitted that the bail application of the Petitioner be rejected at this juncture.

7. Having heard learned counsel for the respective parties and on careful consideration of the surrounding facts as well as materials on record, further taking into consideration the period of detention, this Court is inclined to release the Petitioner on bail on furnishing a bail bond of Rs.50,000/- (Rupees Fifty Thousand) with two local solvent sureties each for the like amount to the satisfaction of the learned court in seisin over the matter subject to the following terms and conditions:

I) The Petitioner shall also file an affidavit before the Trial Court with regard to indicating there his residential details other details like Aadhar No., Phone No. before the jurisdictional police station & further release of the Petitioner shall be subject to verification of such details as would be furnished by any relative of the Petitioner in the shape of an affidavit.

II) he shall not be involved in any offence of similar nature while on bail;

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

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

V) 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 conditions shall entail cancellation of the bail application.

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

9. The BLAPL is, accordingly, disposed of.

***( A.K. Mohapatra)***

***Judge***

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