IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9824 of 2026
CNR No. ODHC010735972026

Lambodar Mallick **.....** ***Petitioner***

Represented by Adv.
- Bikash Karna

-versus-

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

Represented by Adv. –
B.K. Sahu, A.G.A.

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

ORDER
03.11.2026

Order No.

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

2. Heard learned counsel appearing for the Petitioner and learned Additional Government Advocate 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 (NDPS) Case No. 193 of 2026, arising out of Kantamal P.S. Case No. 88 of 2021, pending in the Court of learned Additional Sessions Judge-cum-Special Judge, Kantamal for alleged commission of offence punishable under Sections 20(b)(ii)C 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 17.09.2026. He further contended that the investigation has been concluded and final charge sheet has been filed. He further submitted that the Petitioner does not have any similar criminal antecedents and that he belongs to the locality, therefore, there is no chance of his absconding. Further allegations made in the FIR, learned counsel for the Petitioner contended that as per the prosecution allegation, a total quantity of 77 kgs 500 gms of contraband Ganja was recovered from the accused persons who were present at the spot. So far the present Petitioner is concerned, it is stated that he was not present at the spot and nothing has been recovered from his exclusive and conscious possession of the Petitioner. It was also brought to the notice of the Court that the Petitioner has been implicated in the present crime as owner of the vehicle which was used for illegal transportation of the contraband articles. In such view of the matter, learned counsel for the Petitioner contended that the bar under Section 37 of the N.D.P.S. Act would not be attracted to the facts of the Petitioner's case. He further submitted that some of the co-accused persons, namely, Umesh Chandra Kanhar in BLAPL No.9093 of 2021 and Tapan Digal in BLAPL No.2290 of 2022 as well as Jibardhan Digal in BLAPL No.5266 of 2022 have already been enlarged on bail by this Court. In such view of the matter, learned counsel for the Petitioner submitted that since the co-accused persons have already been enlarged on bail, the Petitioner be released on bail on any terms and condition that would be imposed by this Court while the Petitioner release on bail.

5. 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, she submitted that the prayer for bail of the Petitioner be rejected at this juncture.

6. Having heard the learned counsels appearing for the respective parties and on a careful examination of the case diary as well as materials on record, taking note of the gravity and seriousness of the allegation as well as the role of the Petitioner in the alleged crime, further considering the fact that the Petitioner is the owner of the vehicle and nothing has been recovered from his exclusive and conscious possession of the present Petitioner and that charge sheet has already been filed, this Court is inclined to release the Petitioner on bail subject to imposition of stringent conditions.

7. 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 solvent sureties each for the like amount to the satisfaction of the Court in seisin over the matter.

8. 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.

9. It is further directed that the bail granted to the Petitioner shall be subject to the verification of 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.

10. 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: 04-Nov-2026 17:12:22