**IN THE HIGH COURT OF ORISSA AT CUTTACK**
**BLAPL No.9843 of 2026**
**CNR No. ODHC010736402026**

***Jaga Bariha*** **.....** ***Petitioner***

Represented by Adv. - Jagabandhu Sahu

*-versus-*

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

Represented by Adv. -Mr. U.C.Jena, A.S.C.

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

**ORDER**

**Order No.** **04.11.2026**

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. Heard learned counsel for the Petitioner as well as learned Additional Standing Counsel for the State.

3. This is an application under Section 483 of B.N.S.S. filed by the Petitioner for bail in connection with Padampur P.S. Case No.246 dated 01.09.2026 corresponding to G.R. Case No.1107 of 2026 pending in the Court of the learned S.D.J.M., Padampur for alleged commission of offence under Section 276/ 277/ 111(2)(b) of the BNS.

4. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 01.09.2026. He further submitted that the Petitioner is having two similar criminal antecedents and that he belongs to the locality, therefore there is no chance of his

absconding.

5. Further referring to the prosecution case as narrated in the F.I.R., learned counsel for the Petitioner contended that a total of 15 bottles of cough syrup were allegedly recovered from the possession of the present Petitioner. He further submitted that, having regard to the total quantity of contraband seized, the bar under Section 37 of the 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 Petitioner submitted that the Petitioner be released on bail on such terms and conditions as this Court deems fit and proper in the facts and circumstances of the case.

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 considering the nature of allegation and the contraband used in the present case, the release of the petitioner would be a threat to the society. Therefore, he submitted that the prayer for bail 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.40,000/- (Rupees Forty Thousand) with two local solvent sureties each for the like amount to the satisfaction of the learned court in seisin over the matter. While imposing conditions, learned court below shall also impose a condition that the Petitioner shall

appear before the jurisdictional Police Station once in a fortnight, preferably on 'Sunday' in between 10.00 A.M. to 1 P.M., for a period three months. Violation of any of the terms and conditions shall entail cancellation of bail.

8. It is further directed that the bail granted to the Petitioner is subject to depositing a cash security of Rs.3,000/- (Rupees Three Thousand) before the learned Court in seisin over the matter, which shall be kept in any Nationalized bank in interest bearing account initially for a period of one year which will be renewable from time to time till conclusion of trial and the same shall be abide by the final outcome of the trial of the case.

9. BLAPL is accordingly disposed of.

10. Issue urgent certified copy as per Rules.

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

***Judge***

*Rubi*

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