IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.9863 of 2026
CNR No. ODHC010736852026

Chandra Sekhar Baliarsingh **.....** ***Petitioner***

Represented by Adv. -
Amulya Ratna Panda

-versus-

STATE OF ODISHA **.....** ***Opposite Party***

Represented by Adv. –
Miss B.K. Sahoo, AGA

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
04.11.2026

Order No.

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

2. Heard learned counsel appearing for the Petitioner and learned Additional Govt. 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 C.T. Case No.123 of 2026, arising out of Bamunigaon P.S. Case No.26 of 2026, pending in the Court of learned Addl. Sessions Judge-cum-Special Judge, Balliguda for alleged commission of offence punishable under Sections 20(b)(ii)(C) of the N.D.P.S. Act.

4. It is stated by the learned counsel for the Petitioner that the Petitioner is in custody since 17.04.2026. He further contended that in

the meantime the investigation has been concluded and final charge sheet has been filed. He further contended that the Petitioner does not have any similar criminal antecedent, Further submitted that the Petitioner belongs to the locality, therefore, there is no chance of his absconding. Further referring to the allegation made in the FIR, learned counsel for the Petitioner contended that as per the FIR allegation a total quantity of 22 kgs 300 grams of contraband ganja was recovered from swift dzire vehicle in which the Petitioner cannot be co-accused persons are travelling. He further submitted that the seizure does not conclusive indicate that the contraband article has been recovered from the exclusive and conscious possession of the present Petitioner. In such view of the matter, learned counsel for the Petitioner submitted that the bar under Section 37 of NDPS Act would not be attracted. Further submitted that the charge-sheet has been filed and that the Petitioner has no criminal antecedent, the Petitioner be enlarged on bail.

5. Learned Additional Govt. Advocate 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 Govt. Advocate submitted that nature of allegation and the contraband used in the present case is itself a threat to the society. Therefore, he 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 surrounding facts and circumstances of the present case and further taking into consideration the fact that the investigation has been concluded and final charge

sheet has been filed and that the Petitioner does not have any similar criminal antecedent and the bar under Section 37 of the NDPS Act would not be attracted taking into consideration the quantity of the contraband articles was seized, 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.40,000/- (Rupees forty thousand) with two local solvent sureties each for the like amount to the satisfaction of the court in seisin over the matter. The release of the Petitioner shall also be subject to such other terms and conditions as would be fixed by the court in seisin over the matter. Violation of any condition shall entail cancellation of bail.

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 of similar nature. In the event it is found that the Petitioner is having any criminal antecedent of similar nature, then this bail order shall automatically stand revoked.

9. The BLAPL is, accordingly, disposed of.

Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge

Sisir

Signature Not Verified
Digitally Signed
Signed by: SISIR KUMAR SETHI
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 06-Nov-2026 11:02:39