IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.9866 of 2026
CNR No. ODHC010739052026

Purna Chandra Kheti **.....** ***Petitioner***

Represented by Adv. -
Bikash Karna

-versus-

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

Represented by Adv. –

Mr. P. Satapathy, ASC

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 Standing Counsel appearing for the State-Opposite Party. Perused the bail application as well as the documents annexed thereto.

3. The present bail application under Section 483 of B.N.S.S., 2023 has been filed by the Petitioner for regular bail in connection with Special NDPS Case No.160 of 2026, arising out of Kantamal P.S. Case No.129 of 2026, pending in the court of learned Addl. Sessions Judge-cum-Special Judge, Kantamal, for alleged commission of offences punishable under Sections 20(b)(ii)(C)/25/29 of the N.D.P.S. Act, 1985.

4. It is stated by the learned counsel for the Petitioner that the Petitioner is languishing in custody since 16.05.2026. He further

contended that in the meantime, investigation has been concluded and final charge-sheet has been filed. Learned counsel for the Petitioner further submitted before this Court that the Petitioner does not have any similar criminal antecedent and that he 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 prosecution allegation a total quantity of 60 kgs of contraband ganja was recovered from vehicle in which the Petitioner along with another co-accused person were travelling. He further submitted that the circumstances leading to seizure of the contraband article does not conclusively reveal that such contraband article was recovered from the exclusive and conscious possession of the present Petitioner. On such grounds, learned counsel for the Petitioner submitted that the bar under Section 37 of the NDPS Act would not be applicable to the facts of the Petitioner's case. Since the Petitioner does not have any criminal antecedent and taking into consideration the fact that the Petitioner is languishing in custody since May, 2026, the Petitioner be enlarged on bail on any stringent terms and conditions deemed appropriate by this Court

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, 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 as well as taking note of the period of custodial detention and the fact that the charge-sheet has already been filed in the meantime that the Petitioner does not have any similar criminal antecedent, 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 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 involving offence under the NDPS Act, 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