IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.9915 of 2026
CNR No. ODHC010742322026

1) Arun Kumar Singh **.....** ***Petitioners***
2) Rajnish Kumar Singh
Represented by Adv. –
Ms. Ranjita Singh

-versus-

State of Odisha **.....** ***Opposite Party***
Represented by Adv. –

Miss Babita Kumari Sahu, AGA

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
31.10.2026

Order No.

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

2. Heard learned counsel appearing for the Petitioners and learned Additional Government Advocate 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 Petitioners for regular bail in connection with C.T. (NDPS) Case No.26 of 2026, arising out of P.R. No.61/2026-27 of Sub-Inspector of Excise, District Mobile Squad, Angul, pending in the court of learned Judge, Special Court, Angul, for alleged commission of offences punishable under Sections 20(b)(ii)(C)/29 of the N.D.P.S. Act,

1985.

4. Learned counsel for the Petitioners submitted that the Petitioners are in custody since 13.05.2026. She further submitted that, in the meantime, the investigation has progressed substantially and the final P.R. is likely to be filed very soon. Referring to the prosecution case, learned counsel for the Petitioners contends that, as per the prosecution allegation, a total quantity of 40 Kg of contraband Ganja was recovered from four persons while they were standing inside Angul Railway Station. In the aforesaid context, learned counsel further submitted that the recovery was allegedly made from a public place and that there is nothing on record to establish that the contraband article was recovered from the conscious possession of the accused persons. Therefore, the bar under Section 37 of the N.D.P.S. Act would not be attracted to the facts of the present case. It was further submitted that since the Petitioners are local resident, there is no chance of their absconding. It is also submitted that the Petitioners have no similar criminal antecedent. On such grounds, learned counsel for the Petitioners submitted that the Petitioners be enlarged on bail on any terms and conditions as would be deemed just and proper by this Court.

5. Learned Additional Government Advocate appearing for the State-Opposite Party, on the other hand, opposed the release of the Petitioners on bail on the ground of gravity and seriousness of the allegation. She further submitted that in the

event the Petitioners are released on bail, there is every possibility that they might be involved in similar criminal offences. Learned Additional Government Advocate further submitted that considering the nature of allegation and the contraband used in the present case, the release of the Petitioners would be a threat to society. Therefore, she submitted that the prayer for bail of the Petitioners 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 keeping the view the period of detention of the Petitioners in jail custody and the fact that the Petitioners does not have any similar criminal antecedent, this Court is inclined to release the Petitioners on bail subject to imposition of stringent conditions.

7. Hence, it is directed that the Petitioners be released on bail in the aforesaid case on furnishing bail bond of Rs.50,000/- (Rupees Fifty thousand) each with two local 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 it may be deemed just and proper. Violation of any of the condition shall entail cancellation of bail.

9. It is further directed that the bail granted to the Petitioners

is subject to the condition that the court below shall verify whether the Petitioners are having any criminal antecedent of similar nature. In the event it is found that the Petitioners are having any similar criminal antecedent, then this bail order shall automatically stand revoked.

10. The BLAPL is, accordingly, disposed of.

Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge

Debasis

Signature Not Verified
Digitally Signed
Signed by: DEBASIS AECH
Designation: SECRETARY
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 31-Oct-2026 14:49:58