IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.9988 of 2026
CNR No. ODHC010745612026

Bhagaban Mandi ..... ***Petitioner***

Represented by Adv. - Amulya Ratna Panda

-versus-

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

Represented by Adv. -Mr. P.Satpathy, A.S.C.

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

Order No. **11.11.2026**

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 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 T.R. Case No.99 of 2026, arising out of Machhkund P.S. Case No.136 of 2026, pending in the Court of learned Additional Sessions Judge-cum-Special Judge, Koraput 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 08.09.2026. 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.

5. Further referring to the allegations made in the F.I.R., learned counsel for the Petitioner contended that, as per the prosecution case, a total quantity of 41 kg of contraband Ganja was recovered from two accused persons. He further submitted that, so far as the present Petitioner is concerned, a quantity of 20 kg 700 grams of contraband Ganja was allegedly recovered from his motorbike. Learned counsel for the Petitioner, however, seriously disputed the alleged recovery of the contraband Ganja from the exclusive and conscious possession of the present Petitioner. On such grounds, learned counsel for the Petitioner disputed the applicability of the rigours of Section 37 of the N.D.P.S. Act to the facts and circumstances of the present 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 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 Petitioner in jail custody and the fact 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.

8. 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. 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 terms and conditions shall entail cancellation of bail.

9. 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 similar criminal antecedent, this bail order shall automatically stand revoked.

10. The BLAPL is, accordingly, disposed of.

(A.K. Mohapatra)

Judge

Rubi

Signature Not Verified
Digitally Signed
Signed by: RUBI BEHERA
Reason: Authentication
Location: OHC
Date: 12-Nov-2026 14:16:00