IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.10032 of 2026
CNR No. ODHC010748142026

Sharukh Palo@sharukh Khan Palo@sharukh Pal ..... ***Petitioner***

Represented by Adv. - Soubhagya Kumar Dash

-versus-

State Of Odisha ..... ***Opposite Parties***

Represented by Adv. –Mr. T.K. Acharya, ASC

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

Order No. **ORDER**
11.11.2026

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

2. Heard learned counsel for the Petitioner and learned counsel for the State. Perused the materials placed before this Court.

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 T.R. Case No.71 of 2025 arising out of Padmapur P.S. Case No.152 of 2025 pending in the Court of learned Addl. Sessions Judge-Cum-Special Judge, Gunupur for the alleged commission of offence punishable under Section 20(b)(ii)(C)/25 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 14.11.2025. The learned counsel for the

Petitioner submitted that in the meantime, the investigation has been completed and the final charge-sheet has already been filed. The learned counsel for the Petitioner seriously disputed the alleged recovery of ganja from the Petitioner. He further contended that as per the F.I.R. allegation the quantity of ganja seized, i.e., 22 Kgs, which was recovered from the conscious & exclusive possession of the Petitioner, which is less than the commercial quantity, a bar under Section 37 of the N.D.P.S. Act is not attracted to the facts of the present case. He further submitted that the Petitioner has one criminal antecedent and he belongs to the locality, therefore, there is no chance of absconding. The learned counsel for the Petitioner further contended that the co-accused persons have already been enlarged on bail by the co-ordinate Bench of this Court vide BLAPL Nos.4046, 4049 and 4050 of 2026. In such view of the matter, learned counsel for the Petitioner submitted that the Petitioner be released on bail on any terms and conditions that would be imposed by this Court while the Petitioner release on bail.

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 of gravity and seriousness of the allegation as well as the fact that in the event the Petitioner is released on bail, there is every likelihood that he might abscond, which may cause delay in trial. 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 keeping the view the period of detention of the Petitioner in jail custody and some of the

co-accused persons have already been enlarged on bail, 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.1,00,000/-(Rupees One lakh) 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 may be deemed just and proper. Violation of any of the conditions shall entail cancellation of the bail application.

9. It is further directed that the bail granted to the Petitioner be subject to the condition that the court below shall verify the criminal antecedent of the Petitioner. In the event the Petitioner is having more than one similar criminal antecedent, then this bail order shall automatically stand revoked.

10. It is also directed that the bail granted to the petitioner shall be 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 the final outcome of the trial of the case.

11. The BLAPL is, accordingly, disposed of.

(Aditya Kumar Mohapatra)
Judge

Signature Not Verified
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Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 12-Nov-2026 12:25:55