IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.10159 of 2026
CNR No. ODHC010749152026

Deepak Kumar ..... ***Petitioner***

Represented by Adv. - Sanjukta Munda

-versus-

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

Represented by Adv. - Mr. M.R. Patra, A.S.C.

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
18.11.2026

Order No.

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 bail application along with the materials available on record.

3. The present bail application under Section 483 of BNSS. has been filed by the Petitioners for regular bail in connection with T.R. Case No.56 of 2026, arising out of P.R. No.211 of 2026-27 of Excise Station, EI & EB Unit-II (ND) Sambalpur, pending in the Court of learned District and Sessions Judge-cum-Judge(Special Court), Sambalpur for alleged commission of offence punishable under Sections 20(b)(ii)(C) of the N.D.P.S. Act.

4. On perusal of the impugned order, it appears that the Petitioner has challenged the order of rejection dated 01.06.2026, which was

passed prior to the submission of the final PR. Learned counsel for the Petitioner, at this juncture, submitted that, in the meantime, the investigation has been completed and the final PR has been submitted. She further contended that, although a specific plea regarding non-compliance with the mandatory provisions of Sections 42 and 50 of the NDPS Act was raised before the learned Trial Court, the same has not been considered while rejecting the bail application of the Petitioner.

5. In view of the aforesaid circumstances, learned counsel for the Petitioner seeks permission to withdraw the present bail application with liberty to approach the learned Trial Court by filing a fresh bail application. Accordingly, the present bail application is permitted to be withdrawn with the aforesaid liberty. In the event any such bail application is filed, the learned Trial Court shall consider the same, inter alia, taking into account the grounds that may be urged by the Petitioner with regard to the alleged non-compliance with the mandatory provisions of the NDPS Act, and shall dispose of the same as expeditiously as possible, in accordance with law.

6. Accordingly, the BLAPL is disposed of.

(A.K. Mohapatra)
Judge

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