IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10410 of 2026

CNR No.ODHC010759622026

Sonu @ Jitu @ Sunil Panigrahi .... ***Petitioner***

Mr. K. Mohanty, Advocate

-versus-

State of Odisha .... ***Opp. Party***

Mr. U.C. Jena, ASC

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

Order No. **20.11.2026**

01. 1. This matter is taken up through hybrid mode.

2. Heard learned counsel for the Petitioner as well as learned counsel for the State. Perused the bail application as well as documents annexed thereto during the hearing.

3. The present bail application under Section 483 of BNSS, has been filed by the Petitioner for regular bail relating to T.R. Case No.425 of 2024 which is arising out of Special Crime Unit P.S. Case No. 09 of 2024, pending before the learned 2nd Addl. Sessions Judge, Bhubaneswar, for alleged commission of offence punishable under Sections 20(b)(ii)C / 29 of NDPS Act.

4. It is stated by the learned counsel for the Petitioner that, the Petitioner is in custody since 31.03.2026. He further contended that in the meantime charge-sheet has been filed and that the trial has commenced. Learned counsel for the Petitioner further submitted that out of twenty five charge-sheeted witness only two

have been examined so far. In the aforesaid factual backdrops, learned counsel for the Petitioner contended that there is no possibility of the trial being concluded in the near future. It was also brought to the notice of the Court that the Petitioner belongs to the locality, therefore, there is no chance of his absconding. With regard to the antecedents, learned counsel for the Petitioner submitted that although the Petitioner is having two similar antecedents, he has been enlarged on bail in both the instances on the ground of non-applicability of the bar under Section 37 of the NDPS Act, as nothing much has been allegedly recovered from the possession of the present Petitioner.

5. So far as the present case is concerned, learned counsel for the Petitioner contended that as per the prosecution allegation a total quantity of 71.20 kgs of contraband ganja was recovered from persons who are travelling by an indigo car. He further contended that the Petitioner was neither present at the spot nor anything has been recovered from his possession. Therefore, it was argued that the bar under Section 37 would not be attracted to the facts of the Petitioner's case. He further submitted that other co-accused persons from whose possession the contraband ganja was seized have already been enlarged on bail by this Court in BLAPL No.1909 of 2026 and BLAPL No.1934 of 2026 vide order dated 27.04.2026. He further argued that the Petitioner stands in a better footing than the co-accused persons who have already been released on bail by the Co-ordinate Bench of this Court.

6. Learned counsel for the State, on the other hand, objected the bail application of the Petitioner on the ground of gravity and seriousness of the allegation. It was further stated that the

instances of contraband ganja are on a rise in the State. As such, no leniency should be shown to the Petitioner. In such view of the matter, learned counsel for the State stated that the present bail application be rejected.

7. Having heard the learned counsels appearing for the respective parties and on careful analysis of the facts and circumstances and taking note of the circumstance leading to the seizure and the role of the present Petitioner, further considering the facts that the Petitioner is in custody since 31.03.2026 and only two out of twenty five witnesses have been examined so far and, in the meantime, some of the co-accused persons have already been enlarged on bail, this Court is inclined to release the Petitioner on bail subject to the Petitioner furnishing bail bond of Rs.50,000/- (Rupees Fifty Thousand) with two solvent sureties each for the like amount to the satisfaction of the learned court in seisin over the matter. The release of the Petitioner shall also be subject to such other terms and conditions as is deemed just and proper by the court in seisin over the matter.

8. While imposing conditions, the Court below should also impose an additional condition whereby the Petitioner shall appear before the learned Trial Court on each and every date fixed. He shall appear before the local police station once in a fortnight for a period of six months, preferably on a Sunday, in between 10:00 A.M. to 1:00 P.M., and shall not indulge in any similar criminal activities. Violation of any of the terms and conditions shall entail cancellation of bail.

9. In addition to above condition the release of the Petitioner shall be subject to depositing of a cash security Rs.5,000/- (Rupees

Five 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 by the final outcome of the trial of the case and

10. Accordingly, the BLAPL stands disposed of.

Issue urgent certified copy as per Rules.

(Aditya Kumar Mohapatra)
Judge

Sarbani

Signature Not Verified
Digitally Signed
Signed by: SARBANI DASH
Reason: Authentication
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 20-Nov-2026 18:03:36