IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.10264 of 2026
CNR No. ODHC010762542026

Sonu Prasad **.....** ***Petitioner***

Represented by Adv. -
Kaustuva Mohanty

-versus-

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

Represented by Adv. –
Mr. P.Satpathy, ASC

CORAM:
THE HON'BLE 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 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.95 of 2026 arising out of P.R. Case No.256/2026-27 of the District Mobile Unit, Sambalpur pending in the Court of learned Sessions Judge-Cum-Judge (Special Court), Sambalpur for alleged commission of offence punishable U/s. 20(b)(ii)(C) of the N.D.P.S Act.

4. It is stated by the learned counsel for the Petitioner that the Petitioner is in jail custody since 28.08.2026. He further contended

that in the meantime, the investigation has substantially progressed but the final P.R. has not been filed by the Excise Police. He further submitted that the Petitioner has no criminal antecedent.

5. Further referring to the prosecution allegation made in the F.I.R., the quantity of ganja seized, i.e., 39 Kgs., which was recovered from possession of two persons including the present Petitioner. He further submitted that although, both the accused persons are young and the Petitioner is aged about 21 years. The other accused person is minor and he is aged about 16 years and has already been enlarged on bail by the concerned PMJJB. The seizure of the contraband article from the possession of the Petitioner is seriously disputed by the learned counsel for the Petitioner. He further contended that a bar under Section 37 of the N.D.P.S. Act is not attracted to the facts of the present case. 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.

6. The leaned Additional Standing Counsel for the State vehemently opposes the prayer for bail of the Petitioner and submits that numbers of such cases are increasing day-by-day and no leniency should be shown to the petitioner or similarly situated persons and that the petitioner belongs to the State of Jharkhand.

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.50,000/-(Rupees Fifty thousand) with two solvent sureties each one of whom shall a local surety for the like amount to the satisfaction of the Court in seisin over the matter subject to the following terms and conditions:-

I. The petitioner shall also file an affidavit before the trial court with regard to indicating there his residential details, other details like Aadhar No., Phone No. before the jurisdictional police station and further release of the petitioner shall be subject to verification of such details as would be furnished by any relative of the petitioner in the shape of an affidavit;

II. he shall not be involved in any offence of similar nature;

III. he shall not tamper with the prosecution evidence or try to threaten or influence the witnesses in any manner whatsoever;

IV. he shall not make any default in attending the court during trial on each date without fail; and

V. he shall appear before the concerned Police Station once in a month preferably on 'Sunday' in between 10.00 A.M. to 1.00 P.M. till conclusion of trial;

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 be subject to the condition that the court below shall verify the criminal antecedent of the Petitioner. In the event the Petitioner is having any similar criminal antecedent, then this bail order shall automatically stand revoked.

10. The BLAPL is, accordingly, disposed of.

Urgent certified copy of this order be granted as per rules.

(Aditya Kumar Mohapatra)
Judge

Binayak

Signature Not Verified
Digitally Signed
Signed by: BINAYAK SAHOO
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 19-Nov-2026 12:25:32