IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10440 of 2026
CNR No. ODHC010766312026

1) Manoj Rana	***.....***	***Petitioners***
2) Akrura Digal		Represented by Adv. -
3) Aditya Kumar Behera		Sushanta Harichandan

-versus-

State Of Odisha	***.....***	***Opposite Party***
		Represented by Adv. – S.K. Rout, A.S.C.

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
20.11.2026

Order No.

01. 1. This matter is taken up through Hybrid Mode.

2. Heard learned counsel appearing for the Petitioners 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 Petitioners for regular bail in connection with Special (NDPS) Case No.16 of 2026, arising out of Athamallik Range PR No.62 of 2026-27, pending in the Court of learned Special Judge, Athamallik for alleged commission of offence punishable under Sections 20(b)(ii)C of the N.D.P.S. Act.

4. On the oral prayer of learned counsel for the Petitioner submits that he is permitted to withdraw the BLAPL Application in

respect of the Petitioner No.1.

5. Accordingly, the BLAPL Application is disposed of as withdrawn in respect of the Petitioner No.1.

6. It is submitted by the learned counsel for the Petitioners that the Petitioner Nos.2 & 3 are in custody since 07.09.2026. He further submitted that in the meantime investigation has progressed substantially and final charge sheet is likely to be filed very soon. He further submitted that the Petitioner Nos.2 & 3 do not have any similar criminal antecedent. He further submitted that both the Petitioners belong to the locality, therefore, there is no chance of their absconding.

7. Further referring to the allegation made in the FIR, learned counsel for the Petitioner Nos.2 & 3 contended that as per the prosecution allegation a total quantity of 30 kg contraband ganja was recovered from a vehicle in which such Petitioners were travelling. He further submitted that the recovery of such contraband articles from the exclusive & conscious possession of the Petitioner Nos.2 & 3 is seriously disputed. On such ground, learned counsel for the Petitioners contended that the bar under Section 37 of the N.D.P.S. Act would not be attracted to the facts of the Petitioners' case. In such view of the matter, learned counsel for the Petitioners submitted that the Petitioner Nos.2 & 3 be released on bail on any terms and condition that would be imposed by this Court while the Petitioners release on bail.

8. Learned Additional Standing Counsel appearing for the State-Opposite Party, on the other hand, opposed the release of the Petitioner Nos.2 & 3 on bail on the ground that in the event the Petitioner Nos.2 & 3 are released on bail, there is a possibility that

they might be involved in similar criminal offences. Learned Additional Standing Counsel submitted that nature of allegation and the contraband used in the present case is itself a threat to the society. Therefore, he submitted that the prayer for bail of the Petitioner Nos.2 & 3 be rejected at this juncture.

9. 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 Nos.2 & 3 in jail custody and the fact that the Petitioner Nos.2 & 3 do not have any similar criminal antecedent, this Court is inclined to release the Petitioners on bail subject to imposition of stringent conditions.

10. Hence, it is directed that each of the Petitioners be released on bail in the aforesaid case on furnishing bail bond of Rs.45,000/- (Rupees Forty-five thousand) with two local solvent sureties each for the like amount to the satisfaction of the Court in seisin over the matter.

11. 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.

12. It is further directed that the bail granted to the Petitioner Nos.2 & 3 are subject to the condition that the court below shall verify the similar criminal antecedent of the Petitioner Nos.2 & 3. In the event it is found that the Petitioner Nos.2 & 3 are having any similar criminal antecedent under the offences of NDPS Act, this bail order shall automatically stand revoked.

13. The BLAPL is, accordingly, disposed of.

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(A.K. Mohapatra)
Judge

Anil

Signature Not Verified
Digitally Signed
Signed by: ANIL KUMAR SAHOO
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 20-Nov-2026 19:12:32