**IN THE HIGH COURT OF ORISSA AT CUTTACK**
**BLAPL No.10677 of 2026**
**CNR No. ODHC010776862026**

***Rujit Kanhar*** **.....** ***Petitioner***

Represented by Adv. –
Mr. Narendra Kumar Lenka

*-versus-*

***State of Odisha*** **.....** ***Opposite Parties***

Represented by Adv. –

Mr. Amitabh Pradhan, ASC

**CORAM:**
**MR. JUSTICE ADITYA KUMAR MOHAPATRA**

**ORDER**
**20.11.2026**

**Order No.**

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

2. Heard learned counsel for the Petitioner and learned Additional Standing Counsel appearing for the State-Opposite Party. Perused the bail application as well as the documents annexed thereto.

3. The present bail application under Section 483 of BNSS, 2023 has been filed by the Petitioner for regular bail in connection with Spl. 2(a)CC No.24 of 2026, arising out of Dasapalla Excise P.R. No.75 of 2026-27, pending in the court of learned Sessions Judge-cum-Special Judge, Nayagarh, for alleged commission of offence punishable under Section

20(b)(ii)(B) of the N.D.P.S. Act, 1985.

4. It is submitted by the learned counsel for the Petitioner that the Petitioner is languishing in jail custody since 24.08.2026. He further submitted that, as per prosecution report, a total quantity of 8 Kgs of contraband Ganja was recovered from the possession of the present Petitioner. He further contended that since the seized contraband Ganja is less than the commercial quantity, the bar under Section 37 of the N.D.P.S. Act would not be attracted to the facts of the Petitioner's case. He further submitted that, in the meantime, the investigation has been progressed substantially, though the charge sheet has not been filed. It is also contended that although the Petitioner is having one similar criminal antecedent, however, he is ready and willing to abide by any stringent terms and conditions that would be imposed by this Court in the event he is released on bail. Learned counsel for the Petitioner further contended that the Petitioner belong to the locality, therefore, there is no chance of his absconding. On such grounds, learned counsel for the Petitioner contended that the Petitioner be released on bail on any terms and conditions as deemed just and proper by this Court.

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 that allegation made against the Petitioner is serious in nature. He further contended that the investigation is still on. It was further contended that in the

event the Petitioner is released on bail, there is every possibility that he might abscond from justice which would eventually cause delay in conclusion of the investigation as well as delay in filing of the charge sheet. He further submitted that the cases of illegal transportation of contraband Ganja are on rise in State of Odisha now-a-days. Therefore, no leniency should be shown to the accused persons who are involved in such type of offence. On such grounds, learned counsel for the State prayed for rejection of the bail application of the Petitioner.

6. Having regard to the submissions made by the learned counsels appearing for the respective parties and on a careful examination of the materials on record and also taking into consideration the quantity of contraband Ganja, the bar under Section 37 of the N.D.P.S. Act would not be attracted to the facts of the Petitioner's case, this Court is inclined to release the Petitioner on bail.

7. Hence, it is directed that the Petitioner be released on bail in the aforesaid case on furnishing bail bond of Rs.35,000/- (Rupees thirty five thousand) with two local solvent sureties each for the like amount to the satisfaction of the court in seisin over the matter. The release of the Petitioner shall also be subject to such other terms and conditions as would be fixed by the court in seisin over the matter. Violation of any of the condition shall entail cancellation of bail.

8. It is further directed that the bail granted to the Petitioner shall be subject to the condition that the court below shall verify

whether the Petitioner has any criminal antecedent of similar nature. In the event it is found that the Petitioner is having more than one criminal antecedent of similar nature, then this bail order shall automatically stand revoked.

9. The BLAPL is, accordingly, disposed of.

Issue urgent certified copy of this order as per Rules.

***( A.K. Mohapatra)***
***Judge***

*Debasis*

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Designation: SECRETARY
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 20-Nov-2026 14:38:17