IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No.12109 of 2026
CNR No. ODHC010785932026

R. Vadivel **.....** ***Petitioner***

Represented by Adv. -
Rajib Lochan Pattnaik

-versus-

STATE OF ODISHA **.....** ***Opposite Party***

Represented by Adv.
– Mr. A.K. Pati, ASC

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
23.10.2026

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 for the State. Perused the records.

3. This is an application under Section 438, Cr.P.C filed by the Petitioner for anticipatory bail, involving offence punishable under Section 20(b)(ii)B of the N.D.P.S Act in Orkel P.S Case No.0070 of 2023 of the Court of learned Sessions Judge-cum-Special Judge, Malkangiri.

4. It is stated by the learned counsel for the Petitioner that as per the prosecution allegation a total quantity of 10kgs. 400 grams of contraband ganja was recovered from two persons including the present Petitioner while they were travelling by motor bike. Learned counsel for the Petitioner further submitted that taking into

consideration the fact that the seized quantity of contraband ganja is less than the commercial quantity and that the Petitioner does not have any criminal antecedent, the bar under Section 37 would not be attracted to the facts of the Petitioner's case. It is further submitted the Petitioner is ready and willing to cooperate with the learned trial Court for an early concluding of the trial.

5. Taking into consideration the aforesaid submission, the Petitioner is permitted to surrender before the learned court in seisin over the matter within a period of three weeks from today and move an application for bail. In such eventuality, learned court in seisin over the matter shall do well to consider the aforesaid observations made by this Court and dispose of the bail application of the Petitioner on the same day. While considering the bail application of the Petitioner, the learned trial court shall also apply the principles of parity.

6. The case diary as well as the other materials be made available on the date of surrender on an application being filed by the Petitioner prior to his date of surrender along with a copy of today's order.

7. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Vacation Judge

Signature Not Verified
Digitally Signed
Signed by: SISIR KUMAR SETHI
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 24-Oct-2026 18:38:45