IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.10963 of 2026
CNR No. ODHC010797192026

Pravati Panda **.....** ***Petitioner***

Represented by Adv. – Mr. Manas Kumar Chand

-versus-

State of Odisha **.....** ***Opposite Party***

Represented by Adv. –

Miss Babita Kumari Sahu, AGA

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
31.10.2026

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 Government Advocate 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 B.N.S.S., 2023 has been filed by the Petitioner for regular bail in connection with Spl. G.R.(N) No.09 of 2026, arising out of Ersama P.S. Case No.116 of 2026, pending in the court of learned Additional Sessions Judge-cum-Special Judge, Kujanga, for alleged commission of offences punishable under Sections

20(b)(ii)(C)/25/29 of the N.D.P.S. Act, 1985.

4. Learned counsel for the Petitioner submitted that the Petitioner, who is a lady, is languishing in jail custody since 31.03.2026 in connection with the present case. He further submitted that in the meantime investigation has been concluded and final charge sheet has been filed. Learned counsel for the Petitioner further submitted that the Petitioner does not have any similar criminal antecedent and that she belongs to the locality, therefore, there is no chance of her absconding.

5. On perusal of the record, it appears that the Petitioner had earlier approached this Court by filing BLAPL No.3976 of 2026, which was permitted to be withdrawn vide order dated 07.05.2026. Thereafter, the Petitioner again approached this Court by filing BLAPL No.5918 of 2026. A coordinate Bench of this Court, vide order dated 06.08.2026, permitted the withdrawal of the same with liberty to approach the court in seisin over the matter after the submission of the charge sheet. Following the submission of the charge sheet, the Petitioner's prayer for bail was re-agitated before the Court of Sessions. However, the same was rejected on 06.10.2026, which has constrained the Petitioner to prefer this bail application.

6. Referring to the allegation made in the F.I.R., learned counsel for the Petitioner contended that as per the F.I.R. allegation, a total quantity of 22 Kgs 600 Grams was recovered from the possession of the Petitioner. He further argued that since the recovery of the contraband article from the Petitioner's

exclusive and conscious possession is seriously disputed, the bar under Section 37 of the NDPS Act would not apply. On such grounds, learned counsel for the Petitioner submitted that the Petitioner be enlarged on bail on any terms and conditions as would be deemed just and proper by this Court.

7. Learned counsel for the State, on the other hand, opposed the release of the Petitioner on bail on the ground of gravity and seriousness of the allegation. She 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 trial. She 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, it is submitted that the prayer for bail of the Petitioner be rejected at this juncture.

8. Having regard to the submissions made by the learned counsels appearing for the respective parties and on a careful examination of the nature and gravity of the allegation as well as the circumstances leading to the seizure, further taking note of the fact that in the meantime charge sheet has already been filed and that there is no possibility of trial being commenced in near future, and further keeping in view the fact that the Petitioner does not have any similar criminal antecedent, this Court is inclined to release the Petitioner on bail subject to stringent conditions.

9. Hence, it is directed that the Petitioner be released on bail in the aforesaid case on furnishing bail bond of Rs.40,000/- (Rupees forty 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 conditions shall entail cancellation of bail.

10. It is further directed that the bail granted to the Petitioner is subject to the condition that the court below shall verify whether the Petitioner is having any criminal antecedent of similar nature. In the event it is found that the Petitioner is having any criminal antecedent involving the offence under the NDPS Act, then this bail order shall automatically stand revoked.

11. The BLAPL is, accordingly, disposed of.

Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge

Debasis

Signature Not Verified
Digitally Signed
Signed by: DEBASIS AECH
Designation: SECRETARY
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 01-Nov-2026 18:25:09