IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.11148 of 2026
CNR No. ODHC010810642026

Rohit Kumar **.....** ***Petitioner***

Represented by Adv. -
Dibya Jyoti Sahoo

-versus-

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

Represented by Adv. -Mr.
D.K.Sahoo, A.G.A.

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

Order No. **29.10.2026**

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

2. Heard learned counsel for the Petitioner as well as learned Additional Government Advocate for the State.

3. This is an application under Section 483 of the B.N.S.S. filed by the Petitioner for bail in connection with 2 (a) C.C. Case No.37 of 2026, corresponding to RR. Case No.225 of 2026-27, pending in the Court of the learned Special Judge, Jharsuguda for alleged commission of offence under Sections 20(b)(ii)(B) of NDPS Act.

4. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 23.09.2026. He further contended that, in the meantime, the investigation has progressed substantially and the charge sheet is likely to be filed very soon. It is also contended by the learned counsel for the Petitioner that keeping in view the

quantity of ganja seized, i.e., 5 kgs recovered from exclusive and concessive possession of the Petitioner, which is less than the commercial quantity, a bar under Section 37 of the N.D.P.S. Act is not attracted. He further submitted that the Petitioner is having one criminal antecedent. In such view of the matter, learned counsel for the Petitioner submitted that the Petitioner be released on bail on such terms and conditions as this Court deems fit and proper in the facts and circumstances of the case.

5. Learned Additional Government Advocate on the other hand opposed the bail application of the Petitioner on the ground that such cases are increasing day-by-day and no leniency should be shown to the petitioner. He further submitted that the Petitioner belongs to State of Chhattisgarh, therefore, release of the Petitioner be difficult to ensure the appearance of the Petitioner before the Trial Court during trial. In such view of the matter, he submitted that the bail application of the Petitioner be rejected at this juncture.

6. Having heard learned counsel for the respective parties and on careful consideration of the surrounding facts as well as materials on record, further taking into consideration the period of detention, this Court is inclined to release the Petitioner on bail on furnishing a bail bond of Rs.40,000/- (Rupees Forty Thousand) with two local solvent sureties each for the like amount to the satisfaction of the learned 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 & 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 while on bail;

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;

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

Violation of any of the terms and conditions shall entail cancellation of bail.

7. 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. In the event it is found that the Petitioner is having more than one criminal antecedent, this bail order shall automatically stand revoked.

8. BLAPL is accordingly disposed of.

9. Issue urgent certified copy as per Rules.

(A.K. Mohapatra)

Judge

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Reason: Authentication
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