IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.11485 of 2026
CNR No. ODHC010837772026

Prabhat Behera **.....** ***Petitioner***

Represented by Adv. –
Mr. Amulya Ratna Panda

-versus-

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

Represented by Adv. –

Mr. U.C. Jena, ASC

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
12.11.2026

Order No.

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

2. Heard learned counsel appearing for the Petitioner as well as 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 BNSS, 2023 has been filed by the Petitioner for regular bail in connection with C.T. Case No.150 of 2026, arising out of Phulbani Sadar P.S. Case No.219 of 2026, pending in the court of learned Special Judge, Phulbani, for alleged commission of offence punishable under Section 20(a)(i) of

N.D.P.S. Act, 1985.

4. It is submitted by the learned counsel for the Petitioner that the Petitioner has been languishing in jail custody since 11.10.2026. He further submitted that though investigation in this case has substantially progressed, however the final charge sheet has not been filed. It is submitted by the learned counsel for the Petitioner that the basis of implication of the Petitioner is on account of co-accused statement. He further submitted that one of the co-accused, namely, Mastaram Malik @ Mastaram Mallick, who stands similar footing with the present Petitioner, has already been released on bail vide order dated 02.11.2026 passed by a coordinate Bench of this Court in ABLAPL No.12451 of 2026. Learned counsel for the Petitioner further submitted that the Petitioner does not have any similar criminal antecedent and that he belongs to the locality, therefore, there is no chance of his absconding. On such grounds, learned counsel for the Petitioner prayed for release of the Petitioner on bail on any stringent terms and conditions as deemed just and proper by this Court.

5. Learned Additional Standing Counsel appearing for the State-Opposite Party opposes the prayer for bail of the Petitioner, inter alia, that cultivation of cannabis/hemp plants to the extent of 15 acres is on the government land. 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. On such grounds, it is submitted that the prayer for bail of the Petitioner be rejected at this juncture.

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, further keeping in view the fact that Petitioner does not have any criminal antecedent, 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.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 the following condition:-

I. He shall appear before the jurisdictional police station once every Sunday on such time to be fixed by the learned Court in seisin till submission of final form. Certification of such appearance shall be submitted to the Court in seisin".

8. It is open for the court in seisin over the matter to impose any other conditions as it may be deemed just and proper. Violation of any of the conditions imposed either by

this court or the court in seisin over the matter shall entail cancellation of the bail.

9. 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 having any criminal antecedent of similar nature, then this bail order shall automatically stand revoked.

10. The BLAPL is, accordingly, disposed of.

Issue urgent certified copy of this order as per Rules.

(Aditya Kumar Mohapatra)
Judge

Debasis

Signature Not Verified
Digitally Signed
Signed by: DEBASIS AECH
Designation: SECRETARY
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 13-Nov-2026 17:36:29