IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.12195 of 2026
CNR No. ODHC010887112026

Panchananda Pandey @ Maniram Pandey ..... ***Petitioner***

Represented by Adv. - Julu Khansama

-versus-

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

Represented by Adv. - Mr. A.Pradhan, A.S.C.

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

Order No. **20.11.2026**

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

2. Heard learned counsel appearing for the Petitioner and 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 B.N.S.S. has been filed by the Petitioner for regular bail in connection with C.T. (Special) Case No.82 of 2026, arising out of Brajrajnagar P.S. Case No.231 of 2026, pending in the Court of learned District & Sessions Judge-cum-Special Judge, Jharsuguda for alleged commission of offence punishable under Sections 20(b)(ii)(c) of the N.D.P.S. Act.

4. It is submitted by the learned counsel for the Petitioner

that the Petitioner is in custody since 08.10.2026. He further contended that, in the meantime, the investigation has progressed substantially and the charge sheet is likely to be filed shortly. Learned counsel for the Petitioner further contended that the Petitioner has no similar criminal antecedents and, being aged about 63 years and a resident of the locality, therefore there is no chance of his absconding.

5. Further, referring to the allegations made in the F.I.R., learned counsel for the Petitioner contended that, as per the F.I.R., a total quantity of 2 kg 300 grams of ganja along with 10 grams of brown sugar was recovered from two persons, including the present Petitioner. In response to such allegation, learned counsel for the Petitioner submitted that the quantity of contraband seized is below the commercial quantity and, therefore, the rigour of Section 37 of the NDPS Act is not attracted. He further contended that the Petitioner has no similar criminal antecedents. Learned counsel for the Petitioner also submitted that no contraband was recovered from the exclusive and conscious possession of the present Petitioner, who was allegedly travelling along with the co-accused as the driver of the vehicle. In such view of the matter, learned counsel for the Petitioner submitted that the Petitioner be released on bail on any terms and condition which the Petitioner undertakes to abide by while on bail.

6. 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 in the event the Petitioner is released on bail, there is a possibility that he might be involved in similar criminal offences. Learned Additional Standing Counsel submitted that considering the nature of allegation and the contraband used in the present case, the release of the petitioner would be a threat to the society. Therefore, he submitted that the prayer for bail of the Petitioner be rejected at this juncture.

7. Having heard the learned counsels appearing for the respective parties and on a careful examination of the surrounding facts and circumstances of the present case and further keeping the view the period of detention of the Petitioner in jail custody and the fact that the Petitioner does not have any similar criminal antecedent, this Court is inclined to release the Petitioner on bail subject to imposition of stringent conditions.

8. 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. It is open for the Court in seisin over the matter to impose any other conditions as may be deemed just and proper. Violation of any of the terms and conditions shall entail cancellation of bail.

9. 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 similar criminal antecedent, this bail order shall automatically stand revoked.

10. The BLAPL is, accordingly, disposed of.

(A.K. Mohapatra)

Judge

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