IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.12618 of 2026
CNR No. ODHC010916772026

Mantu Das ..... ***Petitioner***

Represented by Adv. -
Ranjan Kumar Nayak

-versus-

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

Represented by Adv.
– Mr. U.C. Jena, ASC

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
26.11.2026

Order No.

01. 1. This matter is taken up through Hybrid Mode.

2. Heard learned counsel appearing for the Petitioner and learned Additional Government Advocate 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.42 of 2026, arising out of Jharsuguda Airport P.S. Case No.132 of 2026, pending in the Court of learned District and Sessions Judge-cum-Special Judge, Jharsuguda for alleged commission of offence punishable under Sections 21(b)&29 of the N.D.P.S. Act.

4. It is stated by the learned counsel for the Petitioner that the Petitioner is languishing in custody since 19.06.2026. He further contended that although the Petitioner is having four criminal

antecedents out of which one is the similar in nature. On the said context, learned counsel for the Petitioner submitted that taking into consideration, the period of custodial detention, the Petitioner is released on bail subject to any other terms and conditions. It is also brought to notice of this Court that the Petitioner belongs to locality, therefore there is no chance of absconding. Learned counsel for the Petitioner further submitted that in the meantime investigation has been concluded and final charge-sheet has been filed. He further contended that as per the FIR allegation, a total quantity of 7 grams of contraband brown sugar has recovered from the possession of the present Petitioner. On the said context, it was also argued that since the contraband allegedly recovered from the possession of the present Petitioner, which is less than the commercial quantity, a bar under Section 37 of the N.D.P.S. Act is not attracted to the facts of the present case. He further submitted that one of the co-accused has already been released on bail by this Court in the earlier bail application.

5. Learned counsel for the Petitioner further submitted that earlier the Petitioner has approached this Court by filing BLAPL No.7463 of 2026 which was disposed of vide order dated 21.09.2026 thereby permitting the Petitioner to withdraw his bail application while granting bail to the other co-accused persons. Learned counsel for the Petitioner further contended that pursuant to the liberty granted to the Petitioner, the Petitioner again moved the learned trial Court for his release on bail, however by virtue of the impugned order 11.11.2026, the bail application of the Petitioner has been rejected by the learned trial Court. On perusal of the impugned rejection order it appears from two witnesses, out

of 17 prosecution witnesses have been examined so far. Therefore, learned counsel for the Petitioner contended that there is no possibility of trial being concluded in the near future.

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 of gravity and seriousness of the allegation. It is further submitted that the Petitioner is having one similar criminal antecedent and that in the event he is released on bail that there is every likelihood that he might indulge in similar criminal activities. On such ground, learned counsel for the State prayed for rejection of his bail application.

7. Having regard to the submission made by learned counsels appearing for both sides and on a careful examination of the nature and gravity of the allegation. He further taking note of the fact that the bar under Section 37 of NDPS Act would not be attracted and that charge-sheet has been filed and the trial has commenced, 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.45,000/-(Rupees Forty-five thousand) with two solvent sureties each for the like amount to the satisfaction of the Court in seisin over the matter.

9. 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 conditions shall entail cancellation of the bail application.

10. It is further directed that the bail granted to the Petitioner shall be subject to the verification of the criminal antecedent of the Petitioner. In the event it is found that the Petitioner is having more than one similar criminal antecedent under the offences of NDPS Act, this bail order shall automatically stand revoked.

11. The BLAPL is, accordingly, disposed of.

(A.K. Mohapatra)
Judge

Sisir

Signature Not Verified
Digitally Signed
Signed by: SISIR KUMAR SETHI
Designation: Personal Assistant
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 26-Nov-2026 19:00:56