



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.432 of 2026

Bhagawan Chowdhury ... ***Petitioner***

Mr. N. Mohapatra, Advocate

-versus-

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

Mr. S.C. Pradhan, Addl. PP

CORAM: JUSTICE G. SATAPATHY

ORDER(ORAL)

26.02.2026

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is an application U/S.483 of BNSS by the petitioner for grant of bail in connection with Excise Range, Rairakhol No. 28 of 2025-26 corresponding to T.R. Case No. 17 of 2025 pending in the file of learned Addl. Sessions Judge-cum-Special Judge, Rairakhol, Sambalpur, for commission of offences punishable U/S.20(b)(ii)(C) of the NDPS Act, on the main allegation of possessing 22Kgs of Contraband Ganja.
3. Heard, Mr. Nityananda Mohapatra, learned counsel for the petitioner and Mr. S.C. Pradhan, learned Addl. PP in the matter and perused the record. On being queried about the criminal antecedent of the petitioner, Mr. Mohapatra volunteers to withhold bail to the petitioner, if he is found to have any criminal antecedent of similar nature for commission of offence under NDPS Act.
4. Admittedly, the petitioner has been detained in custody since 28.06.2025, but in the meantime, PR has already been submitted, however, the petitioner was



granted liberty in BLAPL No. 7981 of 2025 to renew his prayer for bail after submission of charge sheet and accordingly, the petitioner renews his prayer for bail after submission of charge sheet. Further, there is no immediate prospect of trial. It is also claimed that the petitioner is not having any criminal antecedent of similar nature and there is no immediate prospect of trial. In the peculiar facts and circumstance of the case, especially when there is no immediate prospect of trial, the petitioner would be considered to have satisfied the conditions of Sec. 37 of NDPS Act, if he is not having criminal antecedent of similar nature.

5. For the reasons stated hereinabove and taking into account the pre-trial detention of the petitioner in custody, this Court without expressing any view on merits admits the petitioner to bail, but subject to verification of his criminal antecedents for commission of offence under NDPS Act.

6. Hence, the bail application of the petitioner stands allowed and he is allowed to go on bail on furnishing bail bonds of Rs.1,00,000/- (Rupees One Lakh) with two solvent sureties each for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper by it.

In view of the specific submission as advanced for the petitioner, the benefit of this order shall not be extended to the petitioner, if he is found to have any criminal antecedent of similar nature for commission of offences under NDPS Act.

7. Accordingly, the BLAPL stands disposed of. Issue urgent certified copy of the order as per Rules. A soft copy of this order be immediately communicated to the concerned Court, who shall afterwards communicate the same to the concerned Jail through e-mail for reference.

(G. Satapathy)
Judge