



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.383 of 2026

Kunal Digal

... ***Petitioner***
Mr. M. Das, Advocate

-versus-

State of Odisha

... ***Opposite Party***
Mr. M.R. Patra, 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 the bail application U/S.483 of the BNSS by the petitioner for grant of bail in connection with OIC Excise Daringbadi Excise Station PR No. 65 of 2025-26 corresponding to 2(a) CC Case No.36 of 2025 pending in the Court of learned Special Judge-cum-Addl. District & Sessions Judge, Balliguda for commission of offence punishable U/S.20(b)(ii)(C) of the NDPS Act, on the main allegation of transporting 40Kgs of Contraband Ganja in an Auto Rickshaw bearing Registration No.12-C-3608, along with co-accused person.
3. Heard, Mr. Mahes Das, learned counsel for the petitioner and Mr. M.R. Patra, learned Additional Public Prosecutor in the matter and perused the record. On being queried about the criminal antecedent of the petitioner, Mr. Das 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 is in custody since 19.07.2025, but in the meantime, PR has already been submitted, however, the trial is yet to commence and there is no immediate prospect of trial. It is, however, claimed that the Petitioner is not having any criminal antecedent of similar nature. In the aforesaid facts and circumstances, especially when there is no criminal antecedent of similar nature reported against the Petitioner, he would be considered to have satisfied the conditions of Sec.37 of NDPS Act, if he is not having any criminal antecedent of similar nature for commission of offence under NDPS Act.

5. For the reason stated hereinabove and taking into account the pre-trial detention of the petitioner and keeping in view the other circumstances on record in entirety, this Court without expressing any view on merit admits the petitioner to bail, but subject to verification of his criminal antecedent.

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 offence 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

Priyajit