



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.755 of 2026

Biswajit Bagarty

....

Petitioner

Mr. S. Dwibedi, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr. M.K. Mohanty, ASC

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

26.02.2026

Order No.

02.

1. Heard learned counsel for the respective parties.
2. Instant petition under Section 482 BNSS is filed for pre-arrest bail of the petitioner in connection with Bangiriposi P.S. Case No.271 of 2025 corresponding to C.T. Case No.56 of 2025 pending in the file of learned Special Judge, Mayurbhanj, Baripada on the grounds stated therein.
3. Mr. Dwibedi, learned counsel for the petitioner submits that the petitioner is the owner of the vehicle in which the contraband Ganja was allegedly transported and intercepted by the police. The submission is that the petitioner had approached the local PS for release of the vehicle and there he could apprehend his arrest. It is informed to the Court that the petitioner does not have any other similar antecedent. The case diary and the relevant documents are produced by the learned counsel for the State, according to whom, there is no direct



material to connect the petitioner with the alleged recovery and seizure. From the FIR at Annexure-1, this Court finds seizure of commercial quantity of Ganja while being carried into two vehicles, one of which, belongs to the petitioner. Recorded the objection of the State. In absence of any such incriminating material against the petitioner and that, he happens to be the owner of one of the seizure vehicles, this Court though not considered the plea of pre-arrest bail but is of the view that he should be directed to surrender before the learned court below for being released with conditions subject to absence of similar antecedents.

4. Accordingly, it is ordered.

5. In the result, ABLAPL stands disposed of with the direction as aforesaid. It is further directed that in the event of surrender before the court of learned Special Judge, Mayurbhanj, Baripada within a fortnight from today, the petitioner shall be released on bail in connection with Bangiriposi P.S. Case No.271 of 2025 corresponding to C.T. Case No.56 of 2025 subject to him furnishing a bail bond of Rs.40,000/- (Rupees forty thousand) with one solvent surety for the like amount to the satisfaction of the learned court below, which shall be at liberty to impose such other suitable conditions as deemed just and proper in the facts and circumstances of the case besides the following, such as, he shall cooperate the I.O. in the investigation after being released on bail. It is further directed that the above order shall not be given effect to if the learned court below on enquiry through



the local P.S finds the petitioner having past antecedent of similar nature.

6. Issue urgent certified copy as per rules.

(R.K. Pattanaik)
Judge

Alok