



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1603 of 2026

Nilamani Bandaki

.... **Petitioner**
Sk. Zafarulla, Advocate

-Versus-

State of Odisha

.... **Opposite Party**
Mrs. Siva Mohanty, ASC

CORAM:

MR. JUSTICE R.K. PATTANAIK

ORDER

23.03.2026

Order No.

01.

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 Kantamal P.S. Case No.28 of 2026 corresponding to Special (NDPS) Case No.60 of 2026 pending in the file of learned Additional Sessions Judge-cum-Special Judge, Kantamal on the grounds stated therein.
3. Perused the FIR as at Annexure-1. As per Annexure-1, large part of a hilly area was under illegal cultivation of Cannabis plants in the district of Boudh and in that connection, the petitioner apprehends arrest. According to learned counsel for the petitioner, there is no bar under Section 37 of the NDPS Act and hence, for the alleged offence, the petitioner should be directed to go on bail.
4. Recorded the objection of the State.



5. Having regard to the fact that illegal cultivation of Cannabis plants was carried out in a large tract of land and it was detected, this Court is not inclined to accept the plea of pre-arrest bail of the petitioner, but is of the view that he should be directed to surrender before the learned court below seeking regular bail with all such plea as has been advanced at present.

6. Accordingly, it is ordered.

7. In the result, ABLAPL is disposed of. It is further directed that in the event, the petitioner surrenders within a fortnight from today before the learned Additional Sessions Judge-cum-Special Judge, Kantamal in connection with Kantamal P.S. Case No.28 of 2026 corresponding to Special (NDPS) Case No.60 of 2026 and moves application for regular bail, it shall be duly considered in terms of the direction as above. It is further directed that the application so received upon surrender of the petitioner shall be disposed of on the same day and for the said purpose, the case diary and other relevant police papers shall be made available to the court concerned on the date of hearing itself.

8. Issue urgent certified copy as per rules.

(R.K. Pattanaik)
Judge

Balaram