



IN THE HIGH COURT OF ORISSA AT CUTTACK

Rina Dgal @ Sanjukta Digal ... ***Petitioners***
(In BLAPL No. 1461 of 2026)
Binati Digal
(In BLAPL No. 1526 of 2026)

Mr. D. Mishra, Advocate
(In both the BLAPLs)

-versus-

State of Odisha ... ***Opposite Party***
Mr. P. Satpathy, Addl. PP

CORAM: JUSTICE G. SATAPATHY

ORDER(ORAL) : 25.03.2026

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Since these two bail applications arise out of one and same case record, the same are heard together and disposed of by this common order with the consent of the learned counsel for the parties.
3. These are bail applications U/S.483 of BNSS by the petitioners for grant of bail in connection with Phulbani Sadar P.S. Case No. 33 of 2025 corresponding to C.T. (N) Case No. 43 of 2025 pending in the file of learned Special Judge, Phulbani, for commission of offences punishable U/Ss.20(b)(ii)(C)/25/29 of NDPS Act, on the main allegation of jointly transporting 67Kgs 500Grams of Contraband Ganja in an auto-rickshaw bearing Regd. No. OR-25C-5850.
4. Heard, Mr. Debasis Mishra, learned counsel for the petitioners and Mr. P. Satpathy, learned Addl. PP in these matters and perused the record. On being queried about the criminal antecedents of the petitioners, Mr.



Mishra volunteers to withhold bail to the petitioners, if they are found to have any criminal antecedent of similar nature for commission of offence under NDPS Act.

5. Admittedly, the petitioners were neither apprehended from the spot nor were they found in conscious possession of Contraband article at the time of their apprehension, but the petitioners have been implicated in this case on the basis of statement of co-accused Ajit Kumar Mallik @ Mallick, who having been allegedly found in possession of the Contraband article has already been granted bail by a co-ordinate Bench of this Court in BLAPL No. 2251 of 2025. It is specifically claimed that the petitioners are not having any criminal antecedent of similar nature. In the peculiar facts and circumstances of the case, especially when no criminal antecedent of similar nature has been reported against the petitioners and keeping in view grant of bail to co-accused, the petitioners would be considered to have satisfied the conditions of Section 37 of NDPS Act, if they are not having any criminal antecedent of similar nature for commission of offence under NDPS Act.

6. For the reasons stated hereinabove and taking into account the custodial period of the petitioners and the status of the petitioners as ladies and applying the first proviso appended to Sec. 480 of BNS, this Court without expressing any view on merit, admits each of the petitioners to bail, but subject to



verification of their criminal antecedents for similar nature for commission of offence under NDPS Act.

7. Hence, these two bail applications of the petitioners namely Rina Dgal @ Sanjukta Digal (BLAPL No. 1461 of 2026) and Binati Digal (BLAPL No. 1526 of 2026) stand allowed and the petitioners are allowed to go on bail on furnishing bail bonds of Rs.1,00,000/- (Rupees One Lakh) each with two solvent sureties 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 advanced for the petitioners, the benefit of the aforesaid order shall not be extended to the concerned petitioner(s), if she/they is/are found to have criminal antecedent(s) of similar nature for commission of offence under NDPS Act.

8. Accordingly, these BLAPLs stand 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