



IN THE HIGH COURT OF ORISSA AT CUTTACK

Ramesh Chandra Behera ... **Petitioners**
(In BLAPL No. 1537 of 2026)
Rajesh Khana Digal
(In BLAPL No. 1540 of 2026)

Mr. M.K. Chand, Advocate

-versus-

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

Mr. T.K. Acharya, Addl. PP

CORAM:

JUSTICE G. SATAPATHY

ORDER(ORAL)

25.03.2026

Order No.

02.

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 the bail applications U/S.483 of BNSS by the petitioners for grant of bail in connection with Tangi PS Case No. 703 of 2025 corresponding to TR case No. 114 of 2025 pending in the file of learned 1st Additional Sessions Judge-cum-Special Judge under NDPS Act, Khurda for commission of offences punishable U/Ss. 20(b)(ii)(C)/25/29 of the NDPS Act, on the main allegation of transporting 29Kgs and 925 Grams of Contraband Ganja in a Car bearing Registration No. OD-02-CT-8056.
4. Heard, Mr. Manas Kumar Chand, learned counsel for the petitioners and Mr. T.K. Acharya, learned Additional Public Prosecutor in the matter



and perused the record. On being queried about the criminal antecedent of the petitioners, Mr. Chand volunteers to withhold bail to the petitioners, if he/they is/are found to have any criminal antecedent of similar nature for commission of offence under NDPS Act.

5. Admittedly, the petitioners are in custody since 12.10.2025, but in the meantime, charge-sheet has already been submitted, however, the trial is yet to commence and there are 14 charge-sheeted witnesses and, therefore, the trial would take some time. It is, however, claimed that the petitioners are not having any criminal antecedents of similar nature for commission of offence under NDPS Act. In the peculiar facts and circumstances of this case, especially when there is no immediate prospect of trial, the petitioners would be considered to have satisfied the conditions of Sec.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 reason stated hereinabove and taking into account the pre-trial detention of the petitioners in custody with submission of charge-sheet in the meantime, this Court without expressing any view on merit admits the petitioners to bail, but subject to verification of their criminal antecedents.

7. Hence, these two bail applications of the petitioners namely Ramesh Chandra Behera & Rajesh Khana Digal in BLAPL Nos. 1537 and 1540 of



2026 are allowed and each of the petitioners is 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 as advanced for the petitioners, the benefit of this order shall not be extended to the concerned petitioner(s), if he/they is/are found to have any criminal antecedent of similar nature for commission of offence under NDPS Act.

7. Accordingly, these BLAPL Nos. 1537 and 1540 of 2026 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

Priyajit