



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.1708 of 2026

Uttam Pradhan

.....

Petitioner

Represented by Adv. -
Amulya Ratna Panda

-versus-

State Of Odisha

.....

Opposite Party

Represented by Adv. –

Smt. S.Nayak, ASC

CORAM:

MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

07.05.2026

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as the learned counsel for the State. Perused the bail application as well as the document annexed thereto.
3. The Petitioner, who is languishing in custody since 22.01.2026, has approached this Court for his release on bail by challenging the rejection of his bail by the learned Special Judge, Phulbani in C.T. Case No.40 of 2026.
4. Learned counsel for the Petitioner at the outset contended that the Petitioner along with another person were implicated in C.T. Case No.40 of 2026 for commission of an offence under Sections 20(b)(ii)(C), 25, 29 of N.D.P.S. Act. He further contended that as per the FIR allegation and the finding of the learned trial Court in its order dated 22.01.2026 the present



Petitioner was directing the co-accused person who was transporting the contraband ganja weighing 40 k.g. He further contended that no recovery has been made from the exclusive and conscious possession of the present Petitioner. Learned counsel for the Petitioner further submitted that the investigation has progressed substantially and the final charge-sheet is likely to be filed soon. He further contended that the Petitioner does not have any similar criminal antecedent. On such ground, learned counsel for the Petitioner contended that the Petitioner be released on bail on any stringent terms and conditions.

5. Learned counsel for the State on the other hand opposed the bail application of the Petitioner on the ground of gravity and seriousness. In such view of the matter, he submitted that the bail application of the Petitioner be rejected at this juncture.

6. Having heard the learned counsels appearing for the respective parties and on a careful examination of the surrounding facts and circumstances of the present case as well as the materials on record, it is observed that as per the allegation the Petitioner was escorting the other co-accused who was carrying contraband ganja in a different vehicle. Thus, it is clear that nothing has been recovered from the exclusive and conscious possession of the present Petitioner. In such view of the matter, this Court is of the prima facie view that the bar under Section 37 of N.D.P.S. Act would not be attracted to the facts of the Petitioner's case. Further, taking into consideration the fact that the Petitioner does not have any similar criminal antecedents and the Petitioner belongs to the locality, this Court is inclined to release the Petitioner on bail subject to the Petitioner furnishing bail bond of Rs.40,000/-



(Rupees Forty Thousand) with two solvent sureties each for the like amount to the satisfaction of the learned court in seisin over the matter. The release of the Petitioner shall also be subject to such other terms and conditions as is deemed just and proper by the court in seisin over the matter. Violation of any of the terms and conditions shall entail cancellation of bail.

7. It is further directed that the bail granted to the Petitioner be subject to the condition that the court below shall verify the criminal antecedent of the Petitioner. In the event the Petitioner is having any similar criminal antecedents, then this bail order shall automatically stand revoked.

8. Accordingly, the BLAPL stands disposed of.

Issue urgent certified copy as per Rules.

(A.K. Mohapatra)
Judge

Sisir

Signature Not Verified

Digitally Signed
Signed by: SISIR KUMAR SETHI
Designation: PERSONAL ASSISTANT
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 11-May-2026 21:05:10

