



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.1952 of 2026

Ajit Digal

.....

Petitioner

Represented by Adv. -
Amlan Shakti Paul

-versus-

State of Odisha

.....

Opposite Party

Represented by Adv. -
Mr. S.Behera, A.G.A.

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR
MOHAPATRA

ORDER

Order No.

08.05.2026

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel appearing for the Petitioner and learned Additional Government Advocate appearing for the State-Opposite Party. Perused the materials placed before this Court.
 3. The present bail application under Section 483 of B.N.S.S. has been filed by the Petitioner for regular bail in connection with T.R Case No-16 of 2026, arising out of Bolagarh P.S. Case No.26 of 2026, pending in the Court of learned 1st Addl. Sessions Judge-cum- Special Judge under NDPS Act, Khurda for alleged commission of offence punishable under Sections 21(b) (ii) (C)/ 29 of the N.D.P.S. Act.



4. Learned counsel for the Petitioner submits that earlier this matter was not before any of the bench of this Court. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 23.01.2026. He further contended that in the meantime, the investigation has substantially progressed and the charge sheet is likely to be filed very soon. Referring to the prosecution allegations, learned counsel for the Petitioner contended that although the Petitioner and another person were travelling in a Scorpio vehicle from which 41 kg of contraband ganja was allegedly recovered, the Petitioner seriously disputes that the said contraband was in his conscious and exclusive possession. It is submitted that the alleged recovery was not made from the person of the Petitioner but only from the vehicle in which he and the co-accused were travelling.

5. Learned counsel for the Petitioner further contended that the Petitioner does not have any similar criminal antecedent and he belongs to the locality, therefore there is no chance of his absconding. Learned counsel for the Petitioner further submitted that considering the quantity of ganja recovered from two persons, the bar under Section 37 of the N.D.P.S. Act is not applicable to the case of the present Petitioner. In such view of the matter, learned counsel for the Petitioner submitted that the Petitioner be released on bail on any terms and condition which the Petitioner undertakes to abide by while on bail.

6. Learned Additional Government Advocate appearing for



the State-Opposite Party, on the other hand, opposed the release of the Petitioner on bail on the ground that in the event the Petitioner is released on bail, there is a possibility that he might be involved in similar criminal offences. Learned Additional Government Advocate submitted that considering the nature of allegation and the contraband used in the present case, the release of the petitioner would be a threat to the society. Therefore, he submitted that the prayer for bail of the Petitioner be rejected at this juncture.

7. 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 and further keeping the view the period of detention of the Petitioner in jail custody and the fact that the Petitioner does not have any similar criminal antecedent, this Court is inclined to release the Petitioner on bail subject to imposition of stringent conditions.

8. Hence, it is directed that the Petitioner be released on bail in the aforesaid case on furnishing bail bond of Rs.40,000/- (Rupees forty thousand) with two local solvent sureties each for the like amount to the satisfaction of the Court in seisin over the matter.

9. It is open for the Court in seisin over the matter to impose any other conditions as may be deemed just and proper.

10. It is further directed that the bail granted to the Petitioner is subject to the condition that the court below shall verify whether the Petitioner is having any criminal antecedent of



similar nature. In the event it is found that the Petitioner is having any similar criminal antecedent, this bail order shall automatically stand revoked.

11. The BLAPL is, accordingly, disposed of.

(A.K. Mohapatra)

Judge

Rubi

Signature Not Verified

Digitally Signed
Signed by: RUBI BEHERA
Reason: Authentication
Location: OHC
Date: 12-May-2026 16:47:09

