



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 2605 of 2026

Mantu Majhi

....

Petitioner

Mr. Sitikant Mishra, Advocate

-Versus-

State of Odisha

....

Opposite Party

Ms. B.K.Sahu, AGA

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

23.03.2026

Order

No.

01.

1. Heard learned counsel for the respective parties.
2. Instant petition under Section 482 BNSS is filed seeking pre-arrest bail of the petitioner in connection with Chhendipada P.S. Case No.524 of 2023 pending in the file of learned Special Judge, Angul corresponding to C.T. (NDPS) Case No. 22 of 2023 on the grounds stated.
3. Perused the F.I.R. as at Annexure-1 and it reveals that the report was lodged after largescale cultivation of Cannabis plants was detected by the local police. It is submitted to the Court that the other accused persons are on bail after arrest and therefore, the petitioner should be directed to surrender before the learned court below for being released with any conditions. The copies of the bail orders as at Annexure-2 series are referred to while demanding grant of bail to the petitioner. It is claimed that the petitioner was engaged in watering the plants and he has been chargesheeted in the meantime. The



submission is that the bar under Section 37 of the NDPS Act does not apply and therefore, the petitioner should be allowed to go on bail like others. Recorded the objection of the State. Perused the bail orders in the record. The Court finds that in so far as the other accused persons are concerned, pre-arrest bail was not entertained but directed them to surrender before the learned court below seeking regular bail. Even the petitioner had earlier approached in 2024. Considering the above facts and submissions of learned counsel for the respective parties, this Court is inclined maintain parity and hence, is inclined to direct the petitioner to similarly surrender before the learned court below and plead for release for orders.

4. Accordingly, it is ordered.

5. In the result, the ABLAPL is disposed of with the direction as aforesaid. In the event, the petitioner surrenders before the court of learned Special Judge, Angul within a fortnight from today and moves an application for bail, it shall be considered in the light of the plea as has been advanced and disposed of according to law. It is further directed that the bail plea of the petitioner shall be considered on the date of surrender itself followed by an order.

6. Issue urgent certified copy of this order as per rules.

(R.K. Pattanaik)
Judge