



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13665 of 2025

Antarjami Guntha @ Antaryami Petitioner
Guntha

Mr. A. R. Panda, Advocate

-Versus-

State of Odisha Opposite Party

Mrs. Siva Mohanty, ASC

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
10.03.2026

Order No.

03.

1. Heard learned counsels for the respective parties.
2. Instant petition under Section 482 BNSS is filed for pre-arrest bail of the petitioner in connection with Machhkund P.S. Case No.61 of 2021 corresponding to G.R. Case No.66 (A) of 2021 pending in the file of learned Additional Sessions Judge-cum-Special Judge, Koraput on the grounds stated therein.
3. Perused the F.I.R. as at Annexure-1. It is claimed that the co-accused persons, namely, Jashwant Singh and Shivnath Singh have been acquitted of the charges levelled referring to Annexure-2, a copy of the judgment in T.R. No.66 of 2021 of the learned Additional Sessions Judge-cum-Special Judge, Koraput. It is further submitted that the petitioner's involvement is alleged on the basis of confessional statements



of the co-accused persons, hence, he is entitled to bail in view of the decision of the Apex Court in **Tofan Singh Vs. State of Tamil Nadu (2021) 4 SCC 1**. Gone through the F.I.R. as at Annexure-1. The Court finds commercial quantity of Ganja has been seized by the local police. The Court, considering such recovery and seizure, is not inclined to grant pre-arrest bail to him, however, is of the view that the petitioner should be directed to surrender before the learned court below seeking regular bail for its consideration on the plea based on the decision in **Tofan Singh** (supra).

4. Accordingly, it is ordered.

5. In the result, ABLAPL stands disposed of with the direction as aforesaid. It is further directed that the petitioner shall surrender before the court of learned Additional Sessions Judge-cum-Special Judge, Koraput within a fortnight from today and in case, moves an application in G.R. Case No.66 (A) of 2021 seeking regular bail with the plea relying on the decision in **Tofan Singh** (supra), it shall be considered and disposed of on merit.

6. Issue urgent certified copy as per rules.

(R.K. Pattanaik)
Judge

Sumitra