IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.8236 of 2026
CNR No. ODHC010610522026

Birupakshya Bagha @ Birupaksha Bagha … ***Petitioner***

Mr. S.K. Sethi, proxy counsel on behalf of Mr. A. Tripathy, Advocate

-versus-

State of Odisha … ***Opposite Party***

Mr. S.C. Pradhan, Addl. PP

CORAM: JUSTICE G. SATAPATHY

Order No. **ORDER(ORAL) 11.09.2026**

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).

2. This is an application U/S.483 of BNSS Act by the petitioner for grant of bail in connection with OIC Excise Station Kantamal PR Case No.76 of 2026-27 corresponding to 2(a)CC Case No.23 of 2026(NDPS) pending in the Court of learned Court of the learned Addl. Sessions Judge-cum-Special Judge, Kantamal for commission of offences punishable U/S. 20(b)(ii)(B) of the NDPS Act, on the main allegation of possessing 03Kgs of Contraband Ganja.

3. Heard, Mr. Saswat Kumar Sethi, learned proxy counsel appearing on behalf of Mr. Amitav Tripathy, learned counsel for the petitioner and Mr. S.C. Pradhan, learned Additional Public Prosecutor in the matter and perused the record.

4. After having considered the rival submissions and taking into account the nature and gravity of the offences as alleged against the petitioner vis-à-vis the accusation sought to be brought against him and regard had to the pre-trial

detention of the Petitioner in custody since 04.08.2026 with substantial progress in investigation and keeping in view the other circumstances on record in entirety including the inherent right of the accused-petitioner to be presumed innocent until proven guilty at the trial and the quantity of contraband ganja being not beyond the limit of commercial quantity, which does not attract the provision of Section 37 of NDPS Act and lastly, no materials being collected to suggest that the petitioner would abscond or pose threat to the witnesses, if released on bail, this Court without expressing any view on merit admits the Petitioner to bail.

5. Hence, the bail application of the petitioner stands allowed and the petitioner is allowed to go on bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty Thousand) each with one solvent surety for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions **except cash surety** as deem fit and proper by it.

6. Accordingly, the BLAPL stands 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

Jayakrushna

Signature Not Verified
Digitally Signed
Signed by: SUBHASMITA SASMAL
Designation: Sr. Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 11-Sep-2026 18:10:44