

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.933 of 2022

Nirmal Das

....

Petitioner

-versus-

State of Odisha

....

Opposite Party

CORAM: JUSTICE S. PUJAHARI

ORDER

13.05.2022

Order

No.

02.

1. This matter is taken up through hybrid mode.
2. The Petitioner apprehending his arrest in Nilgiri P.S. Case No.152 of 2021 registered for alleged commission of offences punishable under Sections 120-B, 419 and 395 of the I.P.C., has filed this petition for his release on pre-arrest bail.
3. Heard the learned counsel for the Petitioner and the learned counsel for the State.
4. Petitioners had approached this Court earlier vide ABLAPL No.11326 of 2021 which was dismissed on merit vide order dated 21st September, 2021. But, he has again

approached this Court by filing the instant bail application for his release on pre-arrest bail.

5. No doubt, Petitioner in this bail application has taken a ground that since the aforesaid bail application has been filed before the charge sheet and in the meanwhile, charge sheet has been filed, this Court should review the aforesaid order.

6. Needless to say that allowing such prayer of the Petitioner would amount affront to the charge sheet filed and also this being the second bail application under Section 438 of Cr.P.C., this Court is of the view that the same is not maintainable in the facts and circumstances of the case.

7. Accordingly, the prayer for pre-arrest bail of the Petitioner stands rejected and the ABLAPL is disposed of being dismissed.

(S. Pujahari)
Judge

DA