

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No.1292 of 2021**

***Niranjan Saxena***

....

***Petitioner***

Mr.P.P. Behera  
Advocate

*-versus-*

***Republic of India***

....

***Opp. Party***

Mr.S. Nayak  
Special P.P.  
(CBI)

**CORAM:  
MR. JUSTICE D.DASH**

**ORDER  
17.10.2022**

**Order  
No.**

- 06.
1. This matter is taken up through hybrid arrangement (virtual/physical mode).
  2. This the successive journey of the Petitioner, who is in custody in connection with R.C. No.40/S/2014 corresponding to SPE No.35 of 2014 on the file of learned Special CJM, CBI, Bhubaneswar running for commission of offence under sections 120-B/420/34 of the IPC read with section 4/5/6 Prize Chits and Money Circulation Scheme (Banning) Act, in filing this application under section 439 of the Cr.P.C., for his release on bail.
  3. Heard Mr.P.P.Behera, learned counsel for the Petitioner and Mr.S.Nayak, learned Special Public Prosecutor, for the CBI

4. Keeping in view the submissions made, the record being perused, it is seen that on earlier occasion, before moving this Court in BLAPL No.3817 of 2019, the Petitioner had moved the Trial Court for his release on bail, which had been rejected on 17.07.2019. Thereafter, on 17.07.2020, final charge sheet having been submitted; the Court below had directed the prosecution to supply the copy of the same to the Petitioner. It appears that although the Petitioner has filed the present application on 15.02.2021, there has been no move before the Trial Court prior to the said advancement of the prayer for grant of bail to the Petitioner.

In view of all these above, this application stands disposed of granting liberty to the Petitioner to renew his prayer for grant of bail before the Trial Court citing all such developments, which have taken place in the meantime for their consideration in proper perspective.

5. It is needless to observe that in the event, such a move is made, the Trial Court would do well to consider the same on its own merit; further taking into account all such developments, which have taken place in the meantime in their proper perspective and dispose of the same early in accordance with law.

Issue urgent certified of this order as per rules.

**(D.Dash)**  
**Judge**

*Basu*