

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL NO.1778 OF 2022

Birat Digal

.... ***Petitioner***
Mr. P.C. Sejpada, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. S. Jena, ASC.

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

ORDER
30.11.2022
I.A. NO.310 OF 2022

Order No.

01. 1. The matter is taken up through hybrid arrangement (virtual/physical) mode.
2. During course of hearing, learned Counsel for the Petitioner does not want to press this Interlocutory Application.
- In view of above, the I.A. stands dismissed as not pressed.

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

ORDER
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02. 1. This is the successive journey of the Petitioner who is in custody in connection with Phiringia P.S. Case No.43 of 2019 corresponding to C.T. Case No.22 of 2019 on the file of learned District and Special Judge, Phulbani for alleged commission of offence under Section -20(b)(ii)(C) of the NDPS

Act, in filling this application under section 439, Cr.P.C. for reconsideration of the prayer for grant of bail to the Petitioner in the above mentioned case.

3. Upon hearing learned Counsel for the Petitioner and learned Additional Standing Counsel; and on going through the materials on record, at this stage; while being not inclined to reconsider the prayer for grant of bail to the Petitioner, this application stands disposed of granting liberty to the Petitioner to approach the Trial Court for his release on bail, by citing all the developments which have taken place in the meantime for their consideration in proper perspective.

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 without being influenced by earlier orders and dispose of the same early in accordance with law.

4. The BLAPL is accordingly disposed of.
Issue urgent certified copy as per rules.

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

Narayan