

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2258 of 2022

Umesh Chandra Sahu* *Petitioner

Mr. D.P. Dhal, Senior Advocate

-versus-

State of Odisha* *Opp. Party

*Mr. Manoranjan Mishra,
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
30.06.2022**

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Mr. D.P. Dhal, learned Senior Advocate files a memorandum on behalf of the petitioner, which is taken on record.

Heard learned counsel for the petitioner and learned counsel for the State.

This is an application under section 439 of Cr.P.C. in connection with S.T. Case No.42/207 of 2021 arising out of Balasore Sadar P.S. Case No.347 of 2020 pending in the Court of learned 2nd Additional Sessions Judge, Balasore for offences punishable under sections 498-A/302/304-B/406/34 of the Indian Penal Code read with section 4 of the D.P Act.

The prayer for bail of the petitioner was rejected by the learned 2nd Additional Sessions Judge, Balasore vide order dated 22.02.2022.

The bail application of the petitioner in BLAPL No.206 of 2021 was rejected as per order dated 31.08.2021. However liberty was granted to the petitioner to renew the prayer for bail after submission of final charge sheet. It seems that without waiting for the submission of final charge sheet, the petitioner rushed to the Hon'ble Supreme Court for grant of bail against the rejection order dated 31.08.2021 passed in BLAPL No.206 of 2021. However, the Hon'ble Supreme Court was not inclined to entertain such petition and the Special Leave to Appeal (Crl.) No.8094 of 2021 was dismissed as per order dated 29.10.2021.

Mr. Dhal, learned Senior Advocate appearing for the petitioner has filed the final charge sheet copy which is dated 04.05.2022, which is taken on record.

It is clear that after the submission of final charge sheet, no bail application has been moved in the Court below as this bail application was presented before this Court on 11.01.2021.

Mr. Dhal, learned Senior Advocate seeks permission to withdraw this bail application with liberty to approach the learned Court below for bail afresh.

The BLAPL is accordingly disposed of as withdrawn. If any such application is moved in the Court below, the same shall be disposed of on merit.

Urgent certified copy of this order be granted on proper application.

(S.K. Sahoo)
Judge

RKM

