

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6358 of 2022

Girish Khatua

....

Petitioner

Mr. A. Das, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
11.11.2022

Order No.

04.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioner and learned counsel for the State.
3. The Petitioner is an accused in T.R. Case No.22 of 2022 pending on the file of learned Sessions Judge-cum- Special Judge, Sambalpur, arising out of Sasan P.S Case No.104 of 2022, for commission of the offence under Section 20(b)(ii)C/29 of the NDPS Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge-cum- Judge, Special Court, Sambalpur by order dated 19.05.2022 in the aforementioned case, the present BLAPL has been filed.
5. Since the consideration by the learned Court in seisin over the matter was during the course of investigation, this Court is **not inclined** to entertain this bail application at this stage notwithstanding the release of the co-accused Susanta Kumar Lenka by order dated 12.08.2022 in BLAPL No. 4358 of 2022.

6. It shall be open to the petitioner to move the learned Court in seisin over the matter after filing of charge sheet and the same shall be considered on its own merits without being influenced by the earlier rejection or the order passed by this Court.
7. Accordingly, the BLAPL stands disposed of.
8. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

PKS

