

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6475 of 2022

Vinod Kumar

....

Petitioner

Mr. S. Dasmohapatra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

17.11.2022

Order No.

03.

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.107 of 2021, pending in the file of learned Additional Sessions Judge-cum-Special Judge, Koraput, arising out of Semilliguda P.S. Case No.126 of 2021, offence under Sections 20(b)(ii)(C)/29 of the NDPS Act and is in custody since 23.12.2021.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge-cum-Special Judge, Koraput by order dated 05.07.2022 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.
6. It shall be open to the petitioner to move the learned Court in seisin over the matter after filing of charge sheet.

7. Liberty is granted to the petitioner to move the learned Court in seisin on account of ill health of his father. If such an application is filed and same shall be considered on its own merits without being influenced by the earlier rejection or the order passed by this Court.

8. Giving such liberty, the BLAPL stands disposed of.

9. Urgent certified copy of this order be granted as per the rules.

(V. NARASINGH)
Judge



Santoshi