

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6584 of 2022

Sidharta Choudhury

....

Petitioner

Mr. G.C. Mohanty, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
16.09.2022

Order No.

02.

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 2(a) CC No.35/2022-23, pending in the file of learned Sessions Judge-cum-Special Judge, Cuttack arising out of P.R. Case No.155 of 2022-23, offence under Sections 21(b) of the NDPS Act and is in custody since 22.06.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge-cum-Special Judge, Cuttack by order dated 05.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection which reveals that the consideration by the learned Court below was before submission of final P.R.

6. Keeping in view that the contraband seized (Brown Sugar) is beyond commercial quantity, this Court is **not inclined** to entertain this bail application at this stage.

7. It shall be open to the petitioner to move the learned Court in seisin over the matter after submission of final form and the same shall be considered on its own merits without being influenced by the earlier rejection or the order passed by this Court.

8. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi

