

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7009 of 2022

Sk. Mumtaz @ Aman

....

Petitioner

Mr. P.K. Rath, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

12.08.2022

Order No.

01.

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.59 of 2022-23, on the files of learned 1st Additional Sessions Judge-cum-Special Judge, Khordha arising out of Khordha P.R. Case No.22 of 2022-23, under Sections 21(b) of the NDPS Act and is in custody since 28.06.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned 1st Additional Sessions Judge-cum-Special Judge under NDPS Act, by order dated 04.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. Taking into account that the consideration by the learned Court below was during the currency of the investigation, this Court is not inclined to entertain this bail application at this stage. The

petitioner is permitted to move the Court below afresh after submission of final PR.

6. If such a bail application moved, the same shall be considered on its own merits without being influenced by the earlier rejection by the Court in seisin over the matter 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.

Santoshi



(V. NARASINGH)
Judge