

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7117 of 2022

Naresh Uthansingh

....

Petitioner

Mr. A.R. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

Mr. B.K. Mishra, Adv (informant)

CORAM: JUSTICE V. NARASINGH

ORDER
21.09.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner, learned counsel for the informant and learned counsel for the State.
3. The petitioner is an accused in C.T. Case No.34 of 2022 pending in the file of learned Additional District & Sessions Judge-cum-Special Judge, (POCSO), Phulbani, arising out of Bamunigaon P.S. Case No.49 of 2022, offence under Sections 376(3)/325 of IPC read with Section 4(2)/6(1) of POCSO Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional District & Sessions Judge-cum-Special Judge, (POCSO), Phulbani by order dated 29.06.2022 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 this Court after filing of charge sheet and 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

Santoshi

