IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7297 of 2022

Biju @ Subhajit Sur .... ***Petitioner***

Mr. B.S. Dasparida, Advocate

-versus-

State of Odisha .... ***Opposite Party***

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
01.12.2022

Order No.

03. 1. Heard learned counsel for the Petitioner and learned counsel for the State.

2. The Petitioner is an accused in C.T Case No.75 of 2020 pending on the file of learned J.M.F.C., Jaleswar, arising out of Kamarda P.S. Case No.75 of 2020, for commission of the offence under Sections 302/34 IPC.

3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C by the learned 3rd Addl. Sessions Judge, Balasore by order dated 19.07.2022 in the aforementioned case, the present BLAPL has been filed.

4. Keeping in view the nature of allegation and since admittedly the consideration by the learned Court in seisin was during currency of the investigation, this Court is **not inclined** to entertain this bail application at this stage.

5. The BLAPL thus stands disposed of. Liberty is given to the Petitioner to move the learned Court in seisin. If such an

application is moved, learned Court in siesin is requested to examine the complicity of the Petitioner independently without being influenced by the earlier rejection or the order passed by this Court.

6. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

PKS