

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7328 of 2022

Asha Rajput and another

....

Petitioners

Mr. U. Barik, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

16.11.2022

Order No.

03.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. The petitioners are accused in S.A. No.30 of 2022, pending in the file of learned District and Sessions Judge-cum-Special Judge, Nuapada, arising out of P.R. Case No.4 of 2022-23, for commission of alleged offences under Sections 20(b)(ii)(C) of NDPS Act and is in custody since 21.04.2022.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Special Judge, Nuapada by order dated 07.07.2022 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 petitioners to move the learned Court in seisin over the matter 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 the rules.

(V. NARASINGH)
Judge

Santoshi

