

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7385 of 2022

Rahul Kumar Yadav

....

Petitioner

Mr. N. Mohapatra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
01.12.2022

Order No.

02.

1. Heard learned counsel for the Petitioner and learned counsel for the State.
2. The Petitioner is an accused in G.R. Case No.04 of 2022 (N) pending on the file of learned Special Judge-cum-Sessions Judge, Ganjam, Berhampur, arising out of Golanthara P.S. Case No.24 of 2022, for commission of alleged offence under Section 20(b)(ii)C/29 of the N.D.P.S Act.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C by the learned Special Judge-cum-Sessions Judge, Ganjam, Berhampur by order dated 04.02.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is on record that the charge sheet in this case has been filed on 18.07.2022 and taking into account that the consideration by the learned Court in seisin over the matter was on 04.02.2022, this Court is **not inclined** to entertain this bail application at this

stage keeping in view the quantity of contraband (Ganja) seized is to the tune of 97 Kg.

5. It shall be open to the Petitioner to move the learned Court in seisin over the matter afresh and the same shall be considered on its own merits without being influenced by the earlier rejection or the order passed by this Court.

6. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

PKS

