

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7401 of 2022

Dibyajyoti Naik @ Nayak

....

Petitioner

Mr. C.R. Sahu, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

28.09.2022

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 G.R. Case No.397 of 2022 pending in the file of learned S.D.J.M., Rairakhol, arising out of Charmal P.S. Case No.90 of 2022, offence under Sections 395/120-B IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Addl. Sessions Judge, Rairakhol by order dated 22.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. It appears that in respect of the co-accused this Court by order dated 17.08.2022 while not entertaining BLAPL No.7105 of 2022 had granted liberty to move after filing of the charge sheet. Hence, this Court does not find any plausible reason to depart from

the same and accordingly, it is directed that the Petitioner is at liberty to move the learned court below after filing of the charge sheet. The same shall be considered on its own merit 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

