

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7535 of 2022

Benu @ Benudhar Naik

....

Petitioner

Mr. S.K. Dash, 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.497 of 2022, pending in the file of the learned S.D.J.M., Dhenkanal, arising out of Dhenkanal Sadar P.S. Case No.186 of 2022, for commission of alleged offences under Section 302/294/506/34 of IPC.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Dhenkanal, by order dated 29.07.2022 in the aforementioned case, the present BLAPL has been filed.
4. Since the consideration by the learned Court in seisin was prior to the filing of charge-sheet and keeping in view the nature of allegations, this Court is **not inclined** to entertain this bail application at this stage.

5. The petitioner is at liberty to move the learned Court below after filing of charge sheet. 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 the rules.

(V. NARASINGH)
Judge

Ayesha

