

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7731 of 2022

Sushanta Kumar Swain

....

Petitioner

Mr. S. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
19.09.2022

Order No.

02.

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 T.R. Case No.22 of 2022, pending on the file of the learned Sessions Judge-cum-Judge (Special Court), Sambalpur, arising out of Cantonment P.S. Case No.140 of 2022, offences under Sections 20(b)(ii)(C)(29) of the NDPS Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge-cum-Judge, (Special Court), Sambalpur, by order dated 04.08.2022 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 consider this bail application at this stage.
6. 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.

7. Accordingly, the BLAPL stands disposed of.
8. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

Santoshi

