

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7765 of 2022

Sisira Kumar Nayak @ Swain

Petitioner

Mr. P.K. Rath, Advocate

-versus-

State of Odisha and another

Opposite Parties

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

30.11.2022

Order No.

03.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner is an accused in G.R. Case No.672 of 2022, pending in the file of learned JMFC, Banarpal, arising out of Banarpal P.S. Case No.230 of 2022, for commission of alleged offences under Sections 376(2)(n)/506 of IPC.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Angul by order dated 04.08.2022 in the aforementioned case, the present BLAPL has been filed.
4. 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.
5. It shall be open to the petitioner 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.

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

(V. NARASINGH)
Judge

Santoshi

