

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.6880 of 2021

Vicky Kumar

.... ***Petitioner***
Mr. J. Kamila, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. K.K. Nayak, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
10.02.2022

Order No.

02.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned counsel for the State. Perused the record as well as F.I.R.
3. This is an application under Section 439 of the Criminal Procedure Code.
4. The Petitioner is an accused in T.R. Case No.29 of 2021 on the file of learned Additional Sessions Judge-cum-Special Judge. Gunupur for the commission of offences punishable under Section 20(b)(ii)(C) of the N.D.P.S. Act.
5. Learned counsel for the Petitioner submits that the present bail application was filed on 18.08.2021. However, he submits that charge-sheet must have been submitted in the case in the meantime. In view of such development, he does not want to press the bail application of the Petitioner and seeks leave of this Court to move before the learned court below afresh after filing of charge-sheet.
6. Considering the aforesaid submissions made by learned

counsel for the Petitioner, this Court permits the Petitioner to withdraw the bail application of the Petitioner and further liberty is given to the Petitioner to move the court below again by filing a fresh bail application. In the event a fresh bail application is filed, the same shall be considered on its own merit without being influenced by any other factor.

7. With the aforesaid observation, the bail application stands disposed of.

8. Urgent certified copy of this order be granted on proper application.

Jagabandhu

