

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7019 of 2021

Niranjan Adabari

....

Petitioner

Mr. P.K. Nanda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Nayak, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

11.02.2022

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 Special G.R. Case No.58 of 2021 arising out of Orkel P.S. Case No.105 of 2021 on the file of learned Sessions Judge-cum-Special Judge. Malkangiri 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 rejection order of the present case was prior to filing of charge-sheet. He further seeks liberty to withdraw the present bail application and move a fresh bail application before the court below after filing of charge-sheet.
6. In such view of the matter, 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 after filing of charge-sheet. 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

(*A.K. Mohapatra*)
Judge

