

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8220 of 2022

Babuli Majhi & Another

....

Petitioners

Mr. D. Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

13.09.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. The petitioners are an accused in Excise EI & EB Unit-II (SD), Berhampur P.R. No.468 of 20202-23 corresponding to 2(a) C.C. Case No.79 of 2022(N), pending before the learned Additional Sessions Judge-cum-Special Judge, Khalilikote, for alleged commission of offences under Section 20(b)(ii)(C) of the NDPS Act.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Special Judge, Berhampur, by order dated 10.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. Taking into account that the consideration by the learned Court below was during the currency of the investigation, this Court

is not inclined to entertain this bail application of the petitioners at this stage. The petitioners are permitted to move this Court below afresh after submission of final PR.

6. If such a bail application moved, the same shall be considered on its own merits without being influenced by the earlier rejection by the Court in seisin over the matter 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.

Ayesha

