

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8225 of 2022

Tuna Nayak

....

Petitioner

Mr. L. Mahapatra, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. K.K. Gaya, 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 petitioner and learned counsel for the State.
3. The petitioner is an accused in Excise Bhubaneswar Range P.R. No.46 of 20202-23 dated 13.08.2022 corresponding to T.R. No.316 of 2022, pending before the learned District & Sessions Judge, Khurda at Bhubaneswar, for alleged commission of offences punishable under Section 21(b) 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, Khurda at Bhubaneswar, by order dated 22.08.2022 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 petitioner at

this stage. The petitioner is 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

