

IN THE HIGH COURT OF ORISSA AT CUTTACK

**BLAPL No. 8675 of 2022**

***Balia Sundhi @ Balaram  
Sahoo and others***

....

***Petitioners***

Mr. A.K. Panda, Advocate

*-versus-*

***State of Odisha***

....

***Opposite Party***

Mr. P.K. Maharaj, ASC

**CORAM: JUSTICE V. NARASINGH**

**ORDER  
22.09.2022**

**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 accused in T.R. Case No.76 of 2022 pending in the file of learned 1<sup>st</sup> Additional District & Sessions Judge-cum-Special Judge under NDPS Act, Khurda, arising out of Baghamari P.S. Case No.103 of 2022, offence under Sections 21(b)/29 of the NDPS Act and section 34 of the IPC.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned 1<sup>st</sup> Additional Sessions Judge-cum-Spl. Judge under NDPS Act, by order dated 29.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. 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.

6. It shall be open to the petitioners to move this Court 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.
7. Accordingly, the BLAPL stands disposed of.
8. Urgent certified copy of this order be granted as per rule.

**(V. NARASINGH)**  
**Judge**

*Santoshi*

