

IN THE HIGH COURT OF ORISSA AT CUTTACK

**BLAPL No. 8691 of 2022**

***Kunda @ Pratap Rudra  
Mahalik***

....

***Petitioner***

Mr. B.S. Dasparida, Advocate

-versus-

***State of Odisha***

....

***Opposite Party***

Mr. A. Pradhan, 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 petitioner and learned counsel for the State.
3. The petitioner is an accused in C.T. Case No.537 of 2022 pending in the file of learned JMFC (R), Balasore, arising out of Khantapada P.S. Case No.170 of 2022, offence under Sections 294/427/506/354/302/34 of IPC.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned 3<sup>rd</sup> Additional Sessions Judge, Balasore, by order dated 17.08.2022 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*

