

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8865 of 2022

Tukuna Naik

....

Petitioner

Mr. R. Achary, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
26.09.2022

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 T.R. Case No.329 of 2022 pending in the file of learned District and Sessions Judge, Khurda at Bhubaneswar, arising out of Laxmisagar P.S. Case No.295 of 2022, offence under Sections 21(c) of the NDPS Act and in custody since 29.08.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned District and Sessions Judge, Khurda at Bhubaneswar by order dated 01.09.2022 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 petitioner to move the learned Court in seisin over the matter 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

