

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8900 of 2022

Tuni Das

....

Petitioner

Mr. S.P. Das, 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.238 of 2022, pending in the file of learned District & Sessions Judge, Khurda, Bhubaneswar, arising out of PR No.230 of 2022-23 of Excise Station E.I. & E.B. Unit-I Cuttack, offence under Sections 21(b) of the NDPS Act and is in custody since 27.08.2022.
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 07.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Prayer for adjournment made by the learned counsel for the petitioner does not find favour with this Court, Since the consideration by the learned Court in seisin over the matter was

during the currency of investigation. Hence, this Court **is not inclined** to consider this bail application at this stage..

6. The petitioners are at liberty to move the learned Court below after filing of charge sheet. The 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