

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9024 of 2022

Padma Charan Raut @ Rout
& others

Petitioners

Mr. Samir Kumar Mishra, Advocate
-versus-

State of Odisha

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
27.09.2022

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 G.R Case No.315 of 2022 pending in the file of learned J.M.F.C., Chilika, arising out of Balugaon P.S. Case No.151 of 2022, offence under Sections 294/323/341/302/506/34 IPC.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned 1st Addl. Sessions Judge, Khurda by order dated 13.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Admittedly the consideration by the learned court in seisin over the matter was during currency of the investigation.
6. Learned counsel for the Petitioner submits that the charge sheet in the aforesaid case has not been filed.

7. Taking note of the nature of allegation, this Court is not persuaded to consider the matter on merits during pendency of the investigation. Accordingly, this Court is **not inclined** to entertain this bail application at this stage.

8. It shall be open to the Petitioner 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.

9. Accordingly, the BLAPL stands disposed of.

10. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

PKS

