

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9198 of 2022

Janaki Ballabha Bharimalla

Petitioner

Mr. B.S. Rayaguru, Advocate

-versus-

State of Orissa

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

01.11.2022

Order No.

02.

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 connection with T.R. No.329 of 2022, pending in the Court of learned Sessions Judge-cum-Special Judge, Khordha, Bhubaneswar, arising out of Laxmisagar P.S. Case No.295 of 2022, for alleged commission of offences under Section 21(C)/29 of NDPS Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Khurda at Bhubaneswar, by order dated 01.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Since the contraband involved is more than the commercial quantity and the consideration by the learned Court in seisin over the matter was during the currency of investigation and keeping in

view the stipulations as contained under Section 37 of the NDPS Act, this Court is not inclined to consider this bail application at this stage.

6. The petitioner is 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.

Ayesha



(V. NARASINGH)
Judge