

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9519 of 2022

Abhisek Patra

....

Petitioner

Mr. P.C. Jena, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
18.10.2022

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 connection with Special Case No.198 of 2022, pending before the Special Judge, Balasore, arising out of Bhograi Excise Station, Balasore P.R. No.59 of 2022/23, for offences under Section 21(C) of the N.D.P.S. Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Special Judge, Balasore, by order dated 22.09.2022 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 currency of investigation, taking into account the quantity of Brown Sugar seized is beyond the commercial quantity, this Court is **not inclined** to entertain this bail application at this stage.

6. The petitioner is at liberty to move the learned Court below after submission of final P.R. 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.

(V. NARASINGH)
Judge

Ayesha

