

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No. 9556 of 2022**

***Maheswar Bhumiyar***

....

***Petitioner***

Mr. S.K. Dalai, Advocate

*-versus-*

***State of Odisha***

....

***Opposite Party***

Mr. A. Pradhan, ASC

**CORAM: JUSTICE V. NARASINGH**

**ORDER**  
**19.10.2022**

**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 Spl. G.R. Case No.135 of 2022, pending in the Court of learned Sessions Judge-cum-Special Judge, Malkangiri, arising out of Malkangiri P.S. Case No.512 dated 31.08.2022, for offences under Sections 20(b)(ii)(C) and Section 25 & 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-cum-Special Judge, Malkangiri, by order dated 13.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. On perusal of the bail application, it comes to the fore that the consideration by the learned Court in seisin over the matter was during the currency of investigation.

6. Considering the quantity of contraband seized is to the tune of 181Kg 600gms, this Court is **not inclined** to consider the bail application at this stage.

7. It shall be open to the petitioner to renew his prayer before the learned Court in seisin over the matter afresh and the same shall be considered on its own merit without being influenced by the earlier order or the order passed by this Court.

8. Accordingly, the BLAPL stands disposed of.

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

*Ayesha*



*(V. NARASINGH)*  
*Judge*