

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9739 of 2022

***Sudhakara Nayak @ Alok
Nayak***

....

Petitioner

Mr. B.R. Mohanty, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
26.10.2022**

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 C.T. Case No.55 of 2022, pending in the Court of the learned Sessions Judge-cum-Special Judge, Kandhamal, Phulbani, arising out of Phiringia P.S. Case No.121 of 2022, for alleged commission of offences under Section 20(b)(ii)(C)/25/29 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, Phulbani, by order dated 25.08.2022 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 course of investigation, 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

