

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9754 of 2022

Santosh Khemundu

....

Petitioner

Mr. P.K. Nanda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
26.10.2022

Order No.

01.

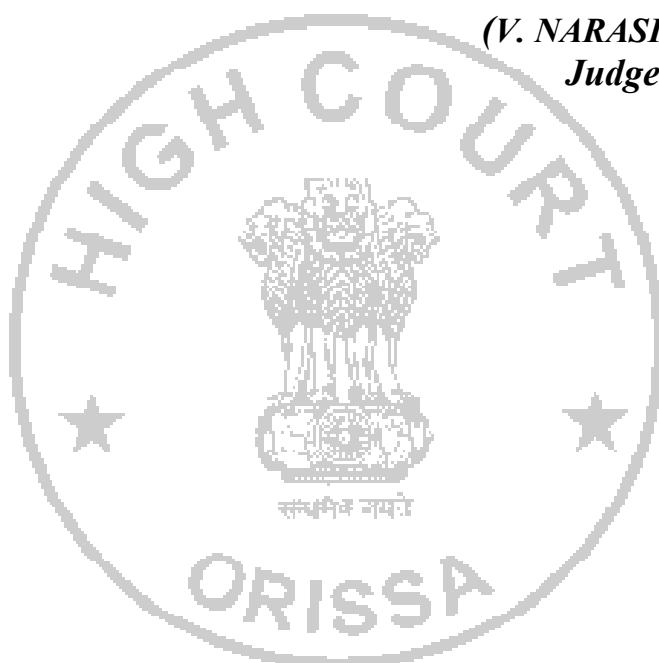
1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. The petitioners are an accused in connection with T.R. Case No.54 of 2022, pending in the Court of learned Additional Sessions Judge-cum-Special Judge, Koraput, arising out of Machhakund P.S. Case No.48 of 2022, for alleged commission of offences under Sections 20(b)(ii)(C) of N.D.P.S. Act.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge-cum-Special Judge, Koraput, by order dated 11.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. On perusal of the order of rejection, it is seen that the consideration by the learned Court below was during the currency of investigation. Hence, this Court is **not inclined** to entertain the bail application at this stage.

6. It shall be open to the petitioner to move the Court below afresh since investigation has been concluded in the meanwhile, as stated in the Bar. On such application being moved, the learned Court below shall consider the same 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