

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9855 of 2022

Sajid & Another

....

Petitioners

Mr. Md. G. Madani, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

29.11.2022

Order No.

02.

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 accused in connection with T.R. Case No.89 of 2022, pending in the Court of the learned Additional Sessions Judge -cum- Special Judge, Gunupur, arising out of Padmapur P.S. Case No.95 of 2022, for alleged commission of offences under Sections 20(b)(ii)(C)/25/29 of NDPS 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, Gunupur, by order dated 23.09.2022 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 course of investigation, this Court is **not inclined** to consider this bail application at this stage.

6. The petitioners are 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.

(V. NARASINGH)
Judge

Ayesha

