

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

**BLAPL No.9942 of 2022**

***Ruben Digal***

....

***Petitioner***

Mr. A.R. Panda, Advocate

*-versus-*

***State of Odisha***

....

***Opposite Party***

Mr. K.K. Gaya, ASC

**CORAM: JUSTICE V. NARASINGH**

**ORDER**  
**27.10.2022**

**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 C.T. Case No.47 of 2022 pending on the file of learned District and Sessions Judge-cum-Special Judge, Phulbani, arising out of Phiringia P.S. Case No.114 of 2022, for commission of alleged offence under Section 20(b)(ii)(C) of the N.D.P.S Act and is in custody since 07.09.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Phulbani by order dated 07.09.2022 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 entertain this bail application at this stage.

6. It shall be open to the petitioner to move this Court after filing of charge sheet and 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**

**PKS**

