

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9981 of 2022

Arjun Kumar Jena

....

Petitioner

Mr. A Das, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. P.K. Rout, AGA

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

17.11.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. Heard learned counsel for the petitioner and learned counsel for the State.

3. This is an application under Section 439 of the Code of Criminal Procedure filed by the Petitioner for bail in connection with Chandpur P.S. No.114 of 2021, corresponding to T.R. Case No.11 of 2022, pending in the Court of Additional Sessions Judge, Nayagarh for commission of offences punishable under Sections 20(b)(ii)(C) and 29 of the N.D.P.S. Act, 1985.

4. It appears that the Petitioner's earlier bail application in BLAPL No.10698 of 2021 was disposed of as withdrawn vide order dated 13.07.2022 with liberty to the Petitioner to move the court below afresh, if the trial is not concluded within a period of three months. However, on perusal of the present bail application, it appears that the Petitioner has challenged the rejection order dated 20.08.2022, which is not in accordance with the direction given by this Court in the earlier bail application.

5. At this juncture, learned counsel for the Petitioner seeks permission to withdraw the bail application to approach the court below pursuant to the order passed by this Court in the previous bail application vide order dated 13.07.2022.

6. In view of such submission, this bail application is disposed of as withdrawn with liberty as sought for.

(A.K. Mohapatra)
Judge

Debasis

