

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9984 of 2022

Muchiram Kisku @ Sunil

....

Petitioner

Mr. G. Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
28.10.2022

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 petitioners are an accused in connection with C.T. Case No.1659 of 2022, pending in the Court of learned S.D.J.M., Baripada, arising out of Baripada Town P.S. Case No.771 of 2022, for alleged commission of offences under Sections 409/420/467/468/34 of IPC.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Mayurbhanj, Baripada, by order dated 29.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. During the course of hearing, it comes to the fore that the consideration of the learned Court below was during the course of investigation. Hence, this Court is **not inclined** to consider this bail application at this stage, keeping in view the peculiar nature of allegation.

6. The petitioner is at liberty to move the learned Court in seisin over the matter afresh, 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

