

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10007 of 2022

Kailash Swain

....

Petitioner

Mr. A.C. Rath, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
31.10.2022

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 connection with 2(a) CC No.43 of 2022, pending in the Court of learned District & Sessions Judge, Cuttack, arising out of P.R. No.185 of 2022-23, for alleged commission of offences under Section 21(C) of NDPS Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge -cum- Special Judge, Cuttack, by order dated 12.09.2022 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 petitioner is 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

