

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10022 of 2022

Ravi & Another

....

Petitioners

Mr. A.K. Mohanty, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. K.K. Gaya, 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 petitioners and learned counsel for the State.
3. The petitioners are an accused in connection with G.R. Case No.104 of 2021, pending in the file of learned Special Judge, Gajapati, Paralakhemundi, arising out of Adava P.S. Case No.103 of 2021, for alleged commission of offences under Sections 20(b)(ii)(C) read with Section 25/29 of the NDPS Act.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Special Judge, Gajapati, by order dated 31.01.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the State on instruction submits that the charge-sheet has been filed on 30.09.2022.

6. On perusal of the order of rejection, it is seen that the consideration by the learned Court below was before filing of charge-sheet. Hence, this Court is not inclined to consider this bail application at this stage.

7. The petitioners are at liberty to move the learned Court in seisin over the matter afresh. The same shall be considered on its own merits.

8. Accordingly, the BLAPL stands disposed of.

9. Urgent certified copy of this order be granted as per rule.

Ayesha

