

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10360 of 2022

Nitin Malik

....

Petitioner

Mr. A. Nayak, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

14.11.2022

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.3987 of 2022 pending on the file of learned S.D.J.M., Bhubaneswar, arising out of EoW Bhubaneswar P.S. Case No.13 of 2022, for commission of alleged offence under Sections 294/384/420/467/468/471/120-B IPC and Section 66(D) I.T Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned 2nd Addl. Sessions Judge, Bhubaneswar by order dated 10.08.2022 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 the learned Court in seisin over the matter after filing of charge sheet and 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

PKS

