

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10604 of 2022

Dibya Lochan Behera

....

Petitioner

Mr. A. Dash, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
21.11.2022

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 connection with G.R. Case No.291 of 2015, pending in the file of learned J.M.F.C., Jagannath Prasad, Ganjam, arising out of Jagannath Prasad P.S. Case No.61 of 2015, for alleged commission of offences under Section 302/34 of IPC .
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Bhanjanagar, by order dated 22.10.2022 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 currency of investigation and taking into account the peculiar nature of the allegations, this Court is **not inclined** to consider this bail application at this stage.

6. Liberty is granted to the petitioner to move the learned Court in seisin post charge sheet, which shall be considered on the basis of materials independently without being prejudiced 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

