

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10613 of 2022

Kamal Mandal

....

Petitioner

Mr. R.L. Pattnaik, 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 Special G.R. Case No.135 of 2022, pending in the file of learned Sessions Judge-cum-Special Judge, Malkangiri, arising out of Malkangiri P.S. Case No.512 of 2022, for alleged commission of offences under Sections 20(b)(ii)(C)/25/29 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, Malkangiri, 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

