

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10645 of 2022

Dharanidhar Behera

....

Petitioner

Mr. G.K. Behera, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
22.11.2022

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 G.R. Case No.770 of 2021, pending in the file of learned S.D.J.M., Chatrapur, arising out of Ganjam P.S. Case No.149 of 2021, for commission of alleged offences under Sections 302/328/201/34 of IPC and is in custody since 14.08.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Chatrapur, Dist-Ganjam by order dated 19.09.2022 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 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 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 rules.

(V. NARASINGH)
Judge

Santoshi

