

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10797 of 2022

Sibamani Sankam

....

Petitioner

None

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

24.11.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. None appears for the Petitioner, when the matter is called.
Heard learned counsel for the State.
3. The Petitioner is an accused in Special G.R. Case No.143 of 2022, pending on the file of learned Sessions Judge-cum-Special Judge, Malkangiri, arising out of Chitrakonda P.S. Case No.118 of 2022, for commission of alleged offence under Sections 20(b)(ii)(C)/27-a/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 26.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. On perusal of the record, it is seen that the consideration by the learned Sessions Judge-cum-Special Judge, Malkangiri was

during the currency of the investigation inasmuch as the occurrence is on 14.09.2022 and the consideration was on 26.09.2022.

6. Hence, keeping in view the nascent stage at which the learned Court in seisin was moved, this Court is **not inclined** to entertain this bail application at this stage. The same stands rejected. The Petitioner is at liberty to move the learned Court in seisin post charge sheet which shall be considered on its own merits without being influenced by the earlier rejection or the order passed by this Court.

7. Liberty is granted to the Petitioner to seek modification of the order, if so advised.

8. Accordingly, the BLAPL stands disposed of.

(V. NARASINGH)
Judge

PKS