

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10978 of 2022

Mangala Challan

....

Petitioner

Ms. M. Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M. Mishra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

06.12.2022

Order No.

01.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner is an accused in Special G.R. Case No.82 of 2022, pending in the file of learned Sessions Judge-cum-Special Judge, Malkangiri, arising out of P.S. Case No.90 of 2022, for commission of alleged offences under Sections 20(b)(ii)(c) of the NDPS Act.
3. 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 16.05.2022 in the aforementioned case, the present BLAPL has been filed.
4. Taking into account the nature of allegations and role ascribed to the petitioner and 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.

5. It shall be open to the petitioners 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.
6. Accordingly, the BLAPL stands disposed of.
7. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge

Santoshi

