

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11132 of 2022

Harendra Kumar

....

Petitioner

Mr. P.P. Behera, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

15.11.2022

Order No.

01.

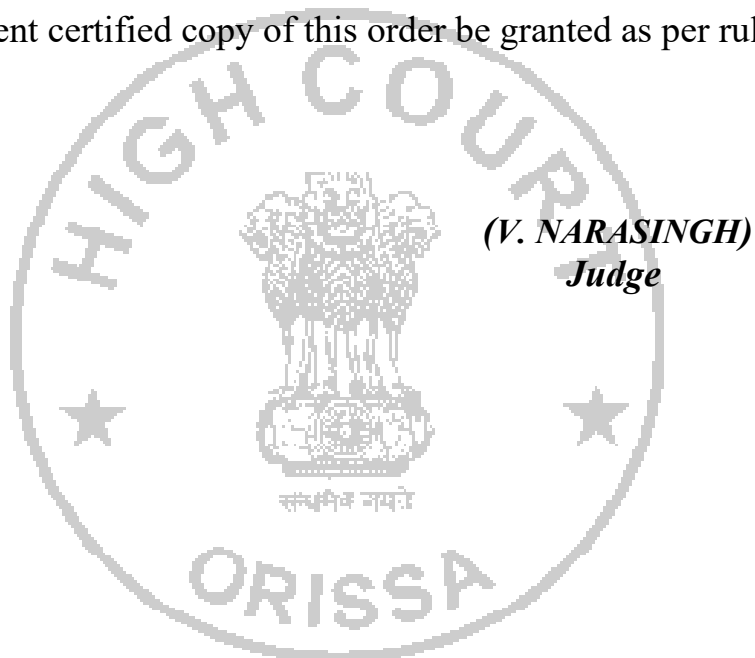
1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in Special G.R. Case No.86 of 2022, pending in the file of learned Sessions Judge-cum-Special Judge, Malkangiri, arising out of Chitrakonda P.S. Case No.62 of 2022, for commission of alleged offences under Sections 20(b)(ii)C/25 of NDPS Act and is in custody since 20.05.2022.
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 03.06.2022 in the aforementioned case, the present BLAPL has been filed.
5. Taking into account that the consideration by the learned Court in seisin was prior to filing of charge sheet. This Court is **not inclined** to entertain this bail application at this stage during the currency of investigation.

6. It is submitted that in the meanwhile charge sheet has been filed.

7. Learned counsel for the petitioner is at liberty to renew his prayer before the learned Court below including by filing appropriate application for interim release on the account of the demise of the father of the petitioner which shall be considered on its own merit without being influenced by the earlier rejection or the order passed by this Court.

8. Accordingly, the BLAPL stands disposed of.

9. Urgent certified copy of this order be granted as per rule.



Santoshi