

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No.11144 of 2022**

***Rouf Mohammad***

....

***Petitioner***

Mr. B. Nayak, Advocate

*-versus-*

***State of Odisha***

....

***Opposite Party***

Mr. K.K Gaya, ASC

**CORAM: JUSTICE V. NARASINGH**

**ORDER**

**15.12.2022**

**Order No.**

**01.**

1. Heard learned counsel for the Petitioner and learned counsel for the State.
2. The Petitioner is an accused in T.R. Case No.346 of 2022 pending on the file of learned Special Judge-cum-Sessions Judge, Khurda at Bhubaneswar, arising out of Khandagiri P.S Case No.458 of 2022, for commission of alleged offence under Section 20(b)(ii)(C) of the N.D.P.S Act and Section 25 of the Arms Act.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C by the learned Sessions Judge, Khurda at Bhubaneswar by order dated 26.10.2022 in the aforementioned case, the present BLAPL has been filed.
4. Taking into account the nature of allegation and the 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 Petitioner to move the learned Court in seisin over the matter after filing of charge sheet and the 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 rule.

**(V. NARASINGH)**  
**Judge**

**PKS**

