

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11190 of 2022

Ajay Kumar Mahato

....

Petitioner

Mr. S. Samal, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

16.12.2022

Order No.

01.

1. Heard learned counsel for the petitioner and learned counsel for the State.

2. The petitioner is an accused in Spl. G.R. Case No.47 of 2022, pending in the file of learned 1st Additional Sessions Judge-cum-Special Judge, Rourkela, arising out of Brahmanitarang P.S. Case No.179 of 2022, for alleged commission of offence 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 1st Additional Sessions Judge-cum-Special Judge, Rourkela by order dated 04.11.2022 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 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.
6. Accordingly, the BLAPL stands disposed of.
7. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge

Santoshi

