

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11564 of 2022

Subas Haldar

....

Petitioner

Mr. S.R. Mohapatra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S. Patra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
19.12.2022

Order No.

01.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner is an accused in C.T. Case No.527 of 2021, pending in the Court of learned SDJM, Nilagiri, arising out of Nilagiri P.S. Case No.362 of 2021, offence under Section 302/34 of IPC read with Sections 25/27 of Arms Act.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned 2nd Additional Sessions Judge, Balasore, by order dated 17.11.2022 in the aforementioned case, the present BLAPL has been filed.
4. Learned counsel for the petitioner seeks permission to withdraw this bail application with liberty to move the learned Court in seisin afresh.
5. Giving such liberty, the BLAPL stands disposed of as withdrawn.

6. It shall be open to the petitioner to bring to the notice of the learned Court in seisin that the co-accused similarly circumstanced have since been released on bail by order of this Court.

7. It is needless to state that if such an application is filed, learned Court in seisin shall consider the same on its own merits without being influenced by the earlier rejection or order passed by this Court.

(V. NARASINGH)
Judge

Ayesha

