

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11571 of 2022

Nibasi Nahak

....

Petitioner

Mr. S.K. Pattnaik, 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 connection with G.R. Case No.10 of 2022(N), pending before the learned Additional District & Sessions Judge, Kodala, Ganjam, arising out of Polasara P.S. Case No.460 of dated 01.11.2022, for alleged commission of offences under Sections 20(b)(ii)(C)/29 of NDPS Act.

3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional District & Sessions Judge, Kodala, by order dated 02.11.2022 in the aforementioned case, the present BLAPL has been filed.

4. Taking into account the nature of allegations 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 consider this bail application at this stage.

5. The petitioner is at liberty to move the learned Court below after filing of charge sheet. 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

Ayesha

