

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.6659 of 2022

***Md. Shamshad Uddin &
another***

....

Petitioners

Mr. J. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

01.12.2022

Order No.

06.

1. Heard learned counsel for the Petitioners and learned counsel for the State.
2. The Petitioners are accused in G.R. Case No.82 of 2022 pending on the file of learned J.M.F.C., City, Cuttack, arising out of Cyber P.S. Case No.01 of 2022, for commission of offence under Sections 419/420/34 IPC and Sections 66(C)/66(D) of the Information Technology Act.
3. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C by the learned 1st Addl. Sessions Judge, Cuttack by order dated 11.07.2022 in the aforementioned case, the present BLAPL has been filed.
4. Keeping in view the nature of allegation and since admittedly the consideration by the learned Court in seisin was during currency of the investigation, this Court is **not inclined** to

entertain this bail application at this stage though charge sheet has been filed in the meanwhile.

5. The BLAPL thus stands disposed of. Liberty is given to the Petitioners to move the learned Court in seisin. If such an application is moved, learned Court in seisin is requested to examine the complicity of the Petitioners independently without being influenced by the earlier rejection or the order passed by this Court.

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

(V. NARASINGH)
Judge

PKS

