

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.3309 of 2012

***Sarbeswar Paikaray @ Kalia Majhi Petitioners
& others.***

-versus-

State of Odisha. Opposite Party

CORAM: JUSTICE S.PUJAHARI

**ORDER
22.03.2022**

Order No.

07.

1. This matter is taken up through Hybrid mode.
2. The petitioners in this application under Section 482 of the Code of Criminal Procedure (for short “Cr.P.C.”) have prayed for quashing of the order dated 06.08.2009 passed by the learned S.D.J.M., Khurda in G.R. Case No.365 of 2009 taking cognizance of the offences under Sections 341, 353, 324, 225, 294, 307 and 506/34 of Cr.P.C. Now, the case is stated to have been committed to the Court of Sessions vide S.T. No.28/167 of 2010/2011.
3. Considering the facts and submissions made, I am not inclined to interfere with the impugned order of cognizance.

Interim order dated 11.12.2012 passed by this Court stands vacated.

4. However, since it is stated by the learned counsel for the petitioners that now the case has been committed to the Court of Sessions vide S.T. No.28/167 of 2010/2011 and for non-appearance of the petitioners before the trial Court N.B.W.(A) has already been issued against them, necessary direction may be given to the trial Court to release them on bail on their surrendering, this Court directs that if the petitioners surrender and move for bail before the Court in seisin over the matter within six weeks hence, the Court in seisin over the matter shall allow them to go on bail on such terms and conditions as deemed just and proper, provided his case is pending there and he is not indicted in any other graver offence.

5. With the aforesaid order, this CRLMC stands disposed of.

6. A copy of this order be communicated to the Court below forthwith.

7. Urgent certified copy of this order be granted on proper application.

(S. Pujahari)
Judge

MRS