

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2471 of 2014

Ala Nayak & others.

....

Petitioners

-versus-

State of Odisha & another.

....

Opposite Parties

CORAM: JUSTICE S.PUJAHARI

ORDER

01.08.2022

Order No.

05.

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 24.10.2013 passed by the learned J.M.F.C., Bhuban in I.C.C. No.21 of 2012 taking cognizance of the offences under Sections 294, 506(II), 354/34 of IPC and Section 3 of the S.C. & S.T. (PoA) Act.
3. Heard the learned counsel for the petitioners and the learned counsel for the State.
4. Learned counsel for the petitioners during course of argument submits that the petitioners do not want to press this application since the petitioners intend to surrender and move

for bail before the Court below. However, he submits that direction may be given to the Court below to release the petitioners on bail.

5. Considering the submission made, this CRLMC stands dismissed as not pressed. However, it is observed that if the petitioner surrenders before the Court in seisin over the matter within four weeks hence and make a motion for bail, the Court in seisin over the matter shall consider and dispose of their bail application in course of the day taking note of the fact that the offence is punishable less than seven years and the law laid down by the Apex Court in the case of ***Satender Kumar Antil vrs. Central Bureau of Investigation and another***, reported in 2021 (II) OLR (SC) 981 and also release of the co-accused, if any.

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

(S. Pujahari)
Judge

MRS