

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.702 of 2022

*Mithun Kumar Jena*

....

*Petitioner*

*-versus-*

*State of Odisha and another*

....

*Opposite Parties*

**CORAM: JUSTICE S.PUJAHARI**

**ORDER**  
**26.07.2022**

**Order No.**

03.

1. This matter is taken up through Hybrid mode.
2. Petitioner has sought for quashing of the cognizance dated 19.04.2021 as well as the entire proceeding in 1.C.C. Case No.28 of 2021, pending before the J.M.F.C., Basta. In course of hearing, leaned counsel for the Petitioner does not want to press the Petition, however he submits that he will appear before the court below and move for bail, as NBW has been issued against him.
3. However considering the facts and submissions made, this Court while disposing of the criminal misc. case being not pressed observed, if the Petitioner surrenders before the court below and moves for bail within a period of four weeks hence, considered the prayer on the same day, taking note of the offences alleged, vis-à-vis, the law laid down in *Satender Kumar Antil Vrs. Central Bureau of Investigation & another*, reported in *2021 (II) OLR (SC) – 981*. Till the date of surrender

or expiry of the period of four weeks, there shall be stay execution of the NBW against the Petitioner.

4. CRLMC stands disposed of

**(S. Pujahari)**  
**Judge**

*Uks*

