

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.703 of 2022

Rabindra Behera @ Bodhia ***Petitioner***

-versus-
State of Odisha ***Opposite Party***

CORAM: JUSTICE S.PUJAHARI

ORDER
12.07.2022

Order No.

02.

- 1.This matter is taken up through Hybrid mode.
- 2.Heard learned counsel for the Petitioner and learned counsel for the State.
- 3.This application under Section 482 of Cr.P.C. has been filed by the Petitioner with a prayer to quash the orders dated 28.03.2014 passed by the learned S.D.J.M., Balasore in 2(a)CC No.86 of 2014 wherein N.B.W. (A) has been issued against him.
4. During the course of hearing, it is submitted by the learned counsel for the Petitioner that since the Petitioner is now ready and willing to surrender before the trial court and cooperate with the trial, the trial court may be directed to release him on bail on any terms and conditions as it may deem just and proper.
5. Learned counsel for the State vehemently opposes to release the Petitioner on bail.

6. Considering the facts and the submissions made, though this Court is not inclined to interfere with the impugned order but directs that if the Petitioner surrenders in the aforesaid case in the first hour before the court of S.D.J.M., Balasore and makes a motion for bail, the learned S.D.J.M., Balasore shall consider and dispose of the same in accordance with law during the first hour. In case of rejection of the bail application, the Petitioner may move for bail before the next higher forum in the second hour and in that event, the bail application of the Petitioner shall be considered and disposed of by the higher forum in accordance with law on the same day, if there is no other legal impediment.

7. With the aforesaid order, this Criminal Misc. Case stands disposed of.

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

(S. Pujahari)
Judge

PKS