

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1682 of 2016

Dillip Nahak and another

.... Petitioners

Mr. J.K. Panda, Advocate

-versus-

State of Orissa

.... Opp. Party

Mr. S.N. Das, A.S.C.

**CORAM:
JUSTICE G. SATAPATHY**

**ORDER
29.09.2022**

Order No.

05. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Learned counsel for the petitioners submits that the petitioner no.2 has already expired in the meantime and his name be deleted from the CRLMC application. The prayer for deletion of petitioner no.2 from the cause title is allowed. Further, learned counsel for the petitioners submits that all the co-accused persons have already been released on bail and the execution of NBWA against the petitioner has been stayed by this Court. Learned counsel for the petitioner while seeking permission of the Court to withdraw the present CRLMC prays to grant bail to petitioner in event he surrenders before the learned trial Court.
3. In view of such limited prayer advanced on behalf of the petitioner and taking into consideration the order passed on 03.06.2016 by this Court staying execution of NBWA issued against the petitioner pursuant to order passed on 07.12.2015 by learned J.M.F.C., Khallikote, Ganjam in G.R. Case No.453 of 2015, this Court while permitting the petitioner to withdraw the CRLMC,

grants liberty to the petitioner to surrender before the learned Court in seisin of the case within four week hence and move for his release on bail by an appropriate application and in such event, the application of the petitioner for bail may be considered affirmatively and the petitioner be released on bail on such terms and conditions as the learned Court in seisin of the case deems fit and proper.

4. Accordingly, the CRLMC is disposed of.

Subhasmita

