

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No.969 of 2022

Prakash Chandra Nahak

....

Petitioners

Mr. B.S. Das, Advocate

-versus-

State of Odisha

....

Opposite Parties

Mr. M.R. Mishra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

23.06.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. Learned counsel for the petitioner seeks permission to withdraw the present CRLMP petition with liberty to move an application for bail before the learned court below. Accordingly, the CRLMP is disposed of withdrawn with liberty as prayed for.

3. However, on the submission of the learned counsel, the petitioner is given liberty to surrender before the J.M.F.C., Khallikote in the G.R. Case No.171 of 2022 arising out of Rambha P.S. Case No.44 of 2022 in the first hour within 21 working days hence and move for bail. On such event, the learned Magistrate shall consider his application for bail in the first hour strictly on the basis of materials on record. In case of rejection of the bail application, the petitioner may move for bail before the higher forum in the second hour. On such event, the higher forum shall consider and dispose of the bail application of the petitioner on the same day strictly on the basis of the materials on record.

6. Case Diary be made available to the concerned courts. Records be transmitted to the higher forum at the cost of the petitioner, if applied for.

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

(A.K. Mohapatra)
Judge

Jagabandhu

