

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1509 of 2022

Sridhar Rout *Petitioner*
-versus-
State of Orissa and another *Opposite Parties*

CORAM: JUSTICE S. PUJAHARI

ORDER
05.08.2022

Order
No.

01. 1. This matter is taken up through hybrid mode.
2. This application under Section 482 of Cr.P.C. has been filed by the Petitioner with a prayer to quash the criminal proceeding, so far it relates against him, in connection with Dharmasala P.S. Case No.0033 of 2019, corresponding to C.T. Case No.127 of 2019, pending in the court of J.M.F.C., Chandikhole.
3. Heard the learned counsel for the Petitioner, the learned counsel for the State-Opposite Party No.1 and the learned counsel for the Opposite Party No.2.
4. Learned counsel for the Petitioner submits that Petitioner does not want to press this Petition. However, he submits that Petitioner intends to surrender and make a motion for bail, in that event, the court in seisin over the matter may consider his prayer for bail in course of the day taking note of the facts that other co-accused persons are released on bail.

5. No doubt, the Petitioner indicted in an offence under Section 307 of I.P.C. However, if he surrenders and makes a motion for bail, this Court hope and trust that the court in seisin over the matter looking into the fact that the Petitioner has voluntarily surrender and co-accused released on bail, consider his prayer for bail keeping the aforesaid as well as the law laid down by the Apex Court in the case of ***Satender Kumar Antil v. Central Bureau of Investigation & Anr. (Miscellaneous Application No.1849 of 2021 in Special Leave Petition (Crl.) No.5191 of 2021 decided on 11th July, 2022***) with regard to its jurisdiction to grant of bail under Section 437 of Cr.P.C.

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

(S. Pujahari)
Judge

DA