

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 1970 of 2022

Dhaneswar Rana

....

Petitioner

Mr. Durlabh Ranjan Mishra, Advocate

-Versus-

State of Orissa and another

....

Opposite Parties

Mr. T.K. Praharaj, SC, OP No.1

None for OP No.2

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

09.09.2022

Order No.

02.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. Instant petition under Section 482 Cr.P.C. has been filed by the petitioner challenging the order of NBWA dated 31st May, 2022 passed by the learned S.D.J.M., Athamallik in G.R. Case No.146 of 2022 arising out of Athamallik P.S. Case No.36 of 2022 on the grounds stated therein.
3. Perused the FIR and charge-sheet as at Annexure-1 series and the impugned order dated 31st May, 2022 which is at Annexure-2.
4. Learned counsel for the petitioner submits that petitioner was working as a Swechasevi for about 10 years and consequently, he was removed from service on the ground of furnishing fake B.Ed. certificate and in that connection, FIR was lodged registered as Athamallik P.S. Case No.36 of 2022 under Sections 468/471/420

IPC showing him as an absconder and under the above circumstances, he should be directed to surrender and released on bail, which is objected to by the learned counsel for the State on the ground that his anticipatory bail was rejected by the Court and there is also prima facie case made out against him.

5. Having regard to the above submissions, the Court is not inclined to interfere with the impugned order under Annexure-2 and accordingly, it is ordered.

6. In the result, the CRLMC stands dismissed.

7. However, the petitioner is directed to surrender before learned S.D.J.M., Athamallik on or before 27th September, 2022 in connection with G.R. Case No.146 of 2022 arising out of Athamallik P.S. Case No.36 of 2022 and in the event of his surrender, the court shall release him on bail with conditions as would be deemed fit and proper.

8. Issue urgent certified copy of this order as per rules.

(R.K. Pattanaik)
Judge