

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 1375 of 2021

Nagabhusan Sabar and others

Petitioners

Mr. S.P. Dash, Advocate

-versus-

State of Odisha and another

Opposite Parties

Mr. P. Mohapatra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

09.05.2022

Order No.

06.

1. This matter is taken up through hybrid mode.
2. Heard Mr. S.P. Dash, learned counsel for the petitioners and Mr. P. Mohapatra learned Additional Standing Counsel for the State.
3. This is an application under Section 482 Cr.P.C. for quashing the proceeding on the file of the learned Gramya Nayalaya Cum-J.M.F.C., Kashinagar in connection with G.R. Case No.163 of 2013 arising out of Kashinagar P.S. Case no.40 of 2013.
4. Taking into consideration the facts and submissions, this CRLMC is disposed of with the observation that the petitioners, if so advised, may surrender before the learned Gramya Nayalaya Cum-J.M.F.C., Kashinagar in connection with G.R. Case No.163 of 2013 arising out of Kashinagar P.S. Case No.40 of 2013 within fifteen (15) days from today. In the event of such surrender and

motion for bail, the same shall be considered by the learned Gramya Nayalaya Cum-J.M.F.C., Kashinagar on merits in accordance with law, in the first hour of the day.

5. In the event of rejection of the prayer for bail by the Gramya Nayalaya Cum-J.M.F.C., Kashinagar the petitioners are at liberty to move the higher forum for bail in the second hour on the same day. On being so moved, the higher forum shall dispose of the bail application of the petitioner on the same day on merit in accordance with law.

6. The Case Diary be made available to the concerned Courts to facilitate disposal of the bail application of the petitioners, and learned Gramya Nayalaya Cum-J.M.F.C., Kashinagar is called upon to transmit the case record to the higher forum in the second hour, in the event of rejection of the bail application by him.

7. Ground of parity, if any, may be considered by the learned Court below on same being canvassed by learned counsel for the petitioner at the time of consideration of the bail application.

8. For a period of two weeks hence, no coercive action shall be taken against the petitioner.

9. The CRLMC is disposed of accordingly.

10. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

Santoshi

I.A. No. 932 of 2022

Order No.

07. 1. In view of the recitals and taking note of the submissions made the order dated 18.04.2022 is hereby recalled.
2. The I.A. accordingly stands disposed of.

Santoshi



(V. NARASINGH)
Judge