

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 2412 of 2022

Madhusudana Sundaray @ Madhu Petitioner
Mr. Jyotirmaya Sahoo, Advocate

-Versus-

State of Odisha Opposite Party
Mr. S.K. Mishra, ASC

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
13.09.2022

Order No.

- 01.
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 NBW dated 10th January, 2022 passed by the learned J.M.F.C., Ranapur in G.R. Case No.374 of 2021 arising out of Chandapur P.S. Case No.156 of 2021 on the grounds stated therein.
 3. Perused the copy of the FIR at Annexure-1 and copy of the impugned order dated 10th January, 2022 as at Annexure-2.
 4. The limited prayer of the petitioner in the present petition is for a direction to the petitioner to surrender before the learned J.M.F.C., Ranapur in G.R. Case No.374 of 2021 subject to the conditions as deemed just and proper.
 5. It is submitted by Mr.Sahoo that the petitioner is a young boy of 19 years and he has been arrested on the basis of

confessional statement of the co-accused and as such, the present FIR was registered under Sections 457/380/34 IPC. It is further submitted that the petitioner is not a habitual offender and he has also no criminal antecedent.

6. Learned counsel for the State on the other hand submits that chargesheet was filed under the alleged offences showing him as an absconder for the offence under Sections 457/380/411/120-B/34 IPC.

7. Having regard to the above submissions, the Court is of the view that the petitioner who claims of having no criminal antecedent should be directed to surrender before the learned court below in G.R. Case No.374 of 2021. Accordingly, it is ordered.

8. The CRLMC stands disposed of with a direction to the petitioner to surrender before the learned J.M.F.C., Ranapur on or before 30th September, 2022 in connection with G.R. Case No.374 of 2021 arising out of Chandapur P.S. Case No.156 of 2021 and in the event of his surrender, the learned court below shall release him on bail on such terms and conditions subject to a confirmation that he is not possessed of any criminal antecedent of similar nature.

9. An urgent certified copy of this order be issued as per rules.

(R.K. Pattanaik)
Judge