

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2603 & 2613 of 2016

CRLMC No.2603 OF 2016

Smt. Minakhi Dutta Petitioner
Mr. Debi Prasad Dhal, Sr. Advocate

-Versus-

State of Odisha Opposite Party
Mr. T.K. Praharaj, S.C.

AND

CRLMC No.2613 OF 2016

Bunu @ Satya Ranjan Nayak Petitioner
Mr. Debi Prasad Dhal, Sr. Advocate

-Versus-

State of Odisha Opposite Party
Mr. T.K. Praharaj, S.C.

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
20.10.2022

Order No.

15. 1. Heard learned counsel for the petitioners and learned counsel for the State.
2. The present petitions under Section 482 Cr.P.C. have been filed challenging the order of cognizance dated 11th December, 2013 passed by the learned J.M.F.C., Ranpur in G.R. Case No.144 of 2012 arising out of Ranpur P.S. Case No.144 of 2012 on the grounds stated therein.
3. Mr. Dhal, learned Senior Advocate for the petitioner submits that the petitioner in CRLMC No.2613 of 2013 is not on

bail and without pressing the matter on merit, it is submitted that he should be directed to surrender before the learned court below and allowed to go on bail and to participate in the trial. While claiming so, he refers to a judgment, copy of which is at Annexure-4 in CRLMC No.2613 of 1016, wherein, some of the accused persons faced trial and ultimately acquitted of all charges.

4. Mr. Praharaj, learned counsel for the State submits that there is no ground made out for quashing of the order of cognizance dated 14th December, 2012 and therefore, it calls for no interference.

5. No case is really made out for interference with the impugned order of cognizance. As regards the petitioner in CRLMC No.2613 of 2016, in view of the non-bailable warrant of arrest has been issued which is pending execution before the court below, the Court is of the view that he should however be directed to surrender and go on bail. Accordingly, it is ordered.

6. In the result, the petitions stand disposed of with a direction to the petitioner in CRLMC No.2613 of 2016 to surrender before the learned J.M.F.C., Ranpur on or before 10th November, 2022 in connection with G.R. Case No.144 of 2012 arising out of Ranpur P.S. Case No.144 of 2012 and in the event he surrenders, the court below shall release him on bail subject to conditions.

7. The CRLMCs are disposed of accordingly.

8. Issue urgent certified copy as per rules.

(R.K. Pattanaik)
Judge