

IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.1770 of 2021

Nilkamal Biswas

....

Petitioner

Mr. Jugal Kishore Panda, Adv.

-versus-

State of Odisha

....

Opposite Party

Mr. Sibani Shankar Pradhan, AGA

CORAM:

MR. JUSTICE S.K. PANIGRAHI

ORDER

24.01.2022

Order No.

- 01.
1. This matter is taken up through Video Conferencing mode.
 2. Heard learned counsel for the Petitioner and learned Additional Government Advocate for the State.
 3. The petitioner has filed this CRLMC with a prayer to set aside the order dated 17.02.2021 (wrongly typed as 17.02.2020) passed by the learned Sessions Judge-cum- Special Judge, Malkangiri in T.R. Case No.84 of 2020 allowing the petition filed by the learned Special Public Prosecutor by extending 30 days to submit charge-sheet and to release him on bail.
 4. Learned Additional Government Advocate for the State submits that the petitioner has directly approached this Court without exhausting the alternative remedy available to him under Section 167(2) of the Cr.P.C. Therefore, this CRLMC may not be entertained.
 5. In view of such facts and submissions, this CRLMC is disposed of, giving liberty to the petitioner to approach the trial court under Section 167(2) of the Cr.P.C. and on such event,

the same shall be considered by the trial court in accordance with law.

6. Accordingly, this CRLMC stands disposed of.

7. As the restrictions due to resurgence of Covid-19 are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the Advocate concerned with his/her seal, in the manner prescribed vide Court's Notice No.4587 dated 25th March, 2020 and Court's Office Order dated 7th January, 2022.

(S.K. Panigrahi)
Judge

BJ

