

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2431 of 2021

Rabi Narayan Panda @ Dami Panda **Petitioner**
Mr. A. Das, Advocate

-Versus-

State of Odisha **Opposite Party**
Mr. P.K. Rout, AGA

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
17.10.2022

Order
No.
03.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. Instant petition under Section 482 Cr.P.C. is filed by the petitioner for quashing of the impugned order dated 20th April, 2020 whereby the learned S.D.J.M., Puri has taken cognizance of the offences against him and two others later to the submission of chargesheet on the ground stated therein.
3. Mr. Das, learned counsel for the petitioner submits that the petitioner is a priest and admittedly his name finds a mention in the FIR but two other accused persons who are also involved in the alleged incident have been granted bail by the Sessions Court. While claiming so, certified copy of the order in G.R. Case No.1081 of 2019 is produced before the Court for its perusal.
4. Mr. Rout, learned AGA submits that name of petitioner finds a place in the FIR and others and all of them are involved in the hurling of bomb on the victim which caused injury to him. In response to the above, Mr. Das, learned counsel for the petitioner

submits that though the name of the petitioner is found in the FIR but then the injury which was received not to be grievous in nature. Copy of the injury requisition and medical examination report of the victim is placed on record. The Court finds that a blast injury was received on the head of the victim without any opinion being rendered with regard to its nature whether to be simple or grievous.

5. However, limiting the prayer, Mr. Das submits that since two other accused persons are on bail, the petitioner since happens to be a priest should also be granted the same relief. It is submitted that in the meantime, the learned court below has issued NBWA against the petitioner.

6. The Court finds that after chargesheet was filed, the learned court below took cognizance of the alleged offence and proceeded to summon all the accused persons. Mr. Das however submits that in the meantime, NBWA is pending execution vis-à-vis the petitioner and with the above, it is prayed that he should at least be directed to surrender and go on bail on any terms and conditions.

7. In view of the above and considering the submissions of learned counsel for the respective parties, the CRLMC stands disposed of with a direction to the petitioner to surrender before the learned court of S.D.J.M., Puri on or before 1st November, 2022 in connection with G.R. Case No.1081 of 2019 corresponding to Baseli Sahi P.S. Case No.49 of 2019 and in the event he surrenders, the court shall release him on bail with conditions.

8. An urgent certified copy of this order be granted as per rules.