

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 3723 of 2022

Sunil Behera

....
Mr. Soumya Ranjan Das, Advocate

Petitioner

-Versus-

State of Orissa

....
Mr. T.K. Praharaj, SC

Opposite Party

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
08.12.2022

Order No.

- 05.
1. Heard learned counsel for the respective parties.
 2. Instant petition under Section 482 Cr.P.C. is filed by the petitioner for quashing of the criminal proceeding in G.R. Case No.163 of 2021 arising out of Chandapur P.S. Case No.77 of 2021 in the file of learned J.M.F.C., Ranpur on the grounds stated therein.
 3. Perused the copy of the FIR as is at Annexure-1.
 4. On going through the FIR vide Chandpur P.S. Case No.77 of 2021, it revealed that on a report being made by the informant, the case was registered for the offences under Sections 457, 380, 406, 409, 120-B read with 34 of IPC along with Section 7 of E.C. Act, 1955.
 5. During and in course of hearing, learned counsel for the petitioner claimed not to press the matter on merit and submitted that the petitioner is a Government servant and in so far as the

value of the stolen items is concerned, it stands at Rs.29,000/- and keeping that in view, he should be directed to surrender before the learned court below and released on bail. It is submitted that the investigation is still open and there was no enquiry held before lodging of the FIR, in response to which, learned counsel for the State submits that the CCTV footage is available vis-a-vis the mischief committed by the petitioner.

6. Having regard to the above facts and submissions, without expressing anything on the merits of the case, the Court feels it proper to direct the petitioner to surrender before the learned court below and released on bail, which would be best served in the facts and circumstances of the case.

7. Accordingly, it is ordered.

8. In the result, the CRLMC stands disposed of with a direction to the petitioner to surrender before the learned J.M.F.C., Ranpur on or before 22th December, 2022 in connection with G.R. Case No.163 of 2021 corresponding to Chandpur P.S. Case No.77 of 2021 and in the event he surrenders, the court below shall release him on bail subject to conditions as deemed just and proper.

9. Issue urgent certified copy of this order on proper application.

(R.K. Pattanaik)
Judge