

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2523 of 2021

Manash Parida

Petitioner

Mr. M. Chand, Advocate

-Versus-

State of Odisha

.... Opposite Party

Mr. T.K. Praharaj, SC

CORAM:
MR. JUSTICE R.K. PATTANAİK

Order
No.

ORDER
12.09.2022

- 02.
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 FIR in connection with G.R. Case No.276 of 2021 arising out of Tangi P.S. Case No.323 of 2021 pending in the file learned J.M.F.C., Chilika on the grounds stated therein.
 3. Learned counsel for the petitioner while not pressing the matter on merits contends that the petitioner should be granted the liberty to surrender before the learned court below and move for bail which may be considered with parity, since because, in the meantime, the driver of the vehicle in question has been released on bail which is objected to by Mr. Praharaj, learned Standing Counsel for the State contending that he is the owner of the alleged vehicle and the quantity of the seized liquor is 750 liters. In response, the learned counsel for the petitioner submits that the recovered liquor was not seized from the possession of the petitioner.

4. Considering the limited prayer, CRLMC stands disposed of with a direction to the petitioner to surrender before learned J.M.F.C., Chilika within a fortnight from today in connection G.R. Case No.276 of 2021 corresponding to Tangi P.S. Case No.323 of 2021 and move for bail and in the event regular bail is moved, the same shall be considered by the court concerned and in the event of rejection, to move the higher forum which shall consider the plea for bail on the same day and pass appropriate order thereon on merit.

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

TUDU



(R.K. Pattanaik)
Judge