

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 2655 of 2021

Prasanta Kumar Behera

....

Petitioner

Mr. S.P. Dash, Advocate

Versus

State of Odisha

....

Opposite Party

Mr. S.S. Pradhan, A.G.A.

CORAM:

JUSTICE SAVITRI RATHO

ORDER

07.02.2022

Order No.

- 02.
1. This matter is taken up through hybrid mode.
 2. Heard Mr. S.P. Dash, learned counsel for the petitioner and Mr. S.S. Pradhan, learned Addl. Govt. Advocate for the State.
 3. In this application under Section 482 Cr.P.C., the order dated 19.09.2007 passed by the learned J.M.F.C., Nimapara in G.R. Case No. 335 of 2006 corresponding to Kakatpur P.S. Case No.64 of 2006, issuing N.B.W. of arrest against the petitioner has been challenged.
 4. The prayer of the I.O. for issuance of N.B.W. of arrest against the petitioner has been allowed. Subsequent to this order, in order dated 20.10.2009, it has been noted that charge sheet dated 31.12.2007 has been submitted against 24 accused persons including the petitioner and the order also reveals that except for the petitioner, all the accused persons are on bail.
 5. Mr. Dash, learned counsel for the petitioner states that he does not want to press this application and prays that he may be permitted to surrender before the learned J.M.F.C., Nimapara in the

aforesaid case and a direction may be issued for disposal of the bail application on the same day.

6. Considering the submissions of the learned counsel for the petitioner and in order to secure the presence of the petitioner during trial, it is directed that if the petitioner surrenders before the learned trial Court within a period of two weeks and files an application for bail, the same shall be considered expeditiously and if there is no other legal impediment, on the same day.

7. With the aforesaid observation, the CRLMC is disposed of.

8. It is made clear that since the petitioner has been absconding more than 12 years, extension of time for surrender shall not be granted.

9. Urgent certified copy of this order be granted on proper application.

Sukanta

