

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 2704 of 2021

Dillip Kumar Swain

....

Petitioner

Mr. U.C.Jena, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr.P.K.Rout, AGA

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

30.09.2022

Order No.

- 01.
1. Heard learned counsel for the petitioner and learned counsel for the State.
 2. The prayer in the present case is for quashing of the order of cognizance dated 5th March, 2020 passed by the learned SDJM, Bhadrak in G.R. Case No. 1708 of 2019 corresponding to Bonth P.S. Case No. 104 of 2019 on the grounds stated therein.
 3. Limited prayer is made by learned counsel for the petitioner that since the other accused has already been released on bail in BLAPL No. 18843 of 2019 disposed of on 08.11.2021 by this Court, the petitioner, who is similarly situated, although, shown as an absconder in the chargesheet should be directed to surrender and go on bail. It is further submitted that the petitioner does not have any criminal antecedent except the present case. An objection is received from Mr. Rout, learned AGA for the State.

4. Having regard to the above facts and submissions of the learned counsel for the petitioner and since the investigation is over and chargesheet stands filed later to which NBWA has been issued by the court below, in the facts and circumstances of the case, the Court is of the view that the petitioner should be directed to surrender and go on bail subject to conditions.

5. Accordingly, it is ordered.

6. In the result, the CRLMC stands disposed of with a direction to the petitioner to surrender before the learned court of SDJM, Bhadrak on or before 21st October, 2022 in G.R. Case No. 1708 of 2019 corresponding to Bonth P.S. Case No. 104 of 2019 and in the event of his surrender, the court shall release him on bail with conditions.

7. An urgent certified copy of this order be issued as per rules.

(R.K. Pattanaik)
Judge