



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1104 of 2025

**Khana @ Charan Jena &
others**

.... **Petitioners**
Mr.Mohendra
Dalai,
Advocate

-versus-

State of Odisha

.... **Opp. Party**
Mr.Satyabrata
Panda, ASC

CORAM:

JUSTICE SIBO SANKAR MISHRA

Order
No.

ORDER
27.03.2025

01.

1. The petitioners are accused in the F.I.R. in connection with Chandanpur P.S. Case No.65 of 2010 corresponding to G.R. Case No.780 of 2010 now S.T. Case No.132-235 of 13-10 for the alleged commission of the offences punishable under Sections 324/ 326/ 307/34 of the IPC r/w Section 9(B) of the Explosive Act pending in the Court of the learned 3rd Additional District Judge, Puri.



2. The petitioners are accused besides one Kalu Charan Samantaray. The said Kalu Charan Samantaray has been apprehended and he had faced the trial. The learned Assistant Sessions Judge, Puri vide its judgment dated 11.07.2016 passed in Sessions Trial No.102/237 of 2015 recorded acquittal in favour of Kalu Charan Samantaray. Relying upon the said judgment dated 11.07.2016, the petitioners are seeking quashing of the entire criminal prosecution. But the fact remains that the petitioners have been absconding. Therefore, no leniency could be shown to them. Vide order dated 20.08.2012 N.B.W. has been issued by the learned Addl. J.M.F.C., Puri in S.T. No.132-235 of 13-10 (arising out of G.R. Case No.780/10) against the petitioners.

3. Regard being had to the fact that the co-accused persons have been acquitted, this Court inclined to give limited indulgence to the petitioners by staying the execution of the order of N.B.W. dated 20.08.2012 till 20.04.2025, subject to the petitioners appearing/ surrendering before the learned 3rd Additional District Judge, Puri and resort to the remedy available to them under law.

4. It is open for the petitioners to move application for grant of bail on the ground that the co-accused persons have been acquitted.



5. With the aforementioned observation, the CRLMC is disposed of.

(S.S. Mishra)
Judge

Subhasis

Signature Not Verified

Digitally Signed
Signed by: SUBHASIS MOHANTY
Designation: Personal Assistant
Reason: Authentication
Location: High Court of Orissa, Cuttack.
Date: 27-Mar-2025 18:46:10

