



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.2657 of 2025

Bagha @ Soubhagya Naik

.....

Petitioner

Represented By Adv. -
Sapan Kumar Lenka

-versus-

State Of Odisha

.....

Opposite Party

Represented By Adv. -
Mr. U.C.Jena, A.S.C.

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR
MOHAPATRA

ORDER
24.07.2025

Order No.

- 01.
1. This matter is taken up through Hybrid mode.
 2. Heard learned counsel for the Petitioner and learned counsel for the State. Perused the records.
 3. The present application has been filed by the Petitioner with a prayer to quash the entire criminal proceeding arising out of Kundheigola P.S. Case No.200 of 2024, corresponding to C.T. No.391 of 2024, pending before the Court of learned J.M.F.C., Reamal.
 4. Learned counsel for the Petitioner at this juncture contended that he does not want to press this application with liberty to raise the point at the time of framing of charge by filing a discharge petition. He further submitted that the Petitioner be permitted to surrender before the Court below and move an application for bail.
 5. Considering the submissions made by the parties, the



application is disposed of as not pressed with liberty as prayed for.

6. However, on the submission of the leaned counsel, the Petitioner is given liberty to surrender before the learned J.M.F.C., Reamal, in the aforesaid case in the first hour within 21 working days hence and move for bail. On such event, the learned Magistrate shall consider his application for bail in the first hour strictly on the basis of the materials on record. In case of rejection of the application, the Petitioner may move for bail before the higher forum in the second hour. On such event, the higher forum shall consider and dispose of the application of the Petitioner on the same day strictly on the basis of the materials on record by maintaining the principles of parity, if applicable. Case Diary be made available to the concerned courts. Records be transmitted to the higher forum at the cost of the Petitioner, if applied for.

7. The CRLMC is disposed of accordingly.

Urgent certified copy of this order be granted as per rules.

(Aditya Kumar Mohapatra)
Judge

Rubi

