



**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**CRLMC No.2694 of 2025**

***Kamal Kumar Goyal***

.....

***Petitioner***

Represented By Adv. -  
Biswaranjan Dalai

-versus-

***State Of Odisha & Anr.***

.....

***Opp. Parties***

Represented By Adv. -  
U.R. Jena, A.G.A.

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

**ORDER**  
**23.07.2025**

**Order No.**

01.        1.     This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2.     Heard learned counsel for the parties and perused the records.
3.     This is an application under Section 528 of B.N.S.S. has been filed by the Petitioner with a prayer to quash the criminal proceeding passed in G.R. Case No.860 of 2025 arising out of Brahmanitarag P.S. Case No.270 of 2025 pending before the learned J.M.F.C. (R), Rourkela, for alleged commission of offences under Sections 303(2), 3(5) of B.N.S., 2023
4.     Learned counsel for the Petitioner during course of argument submits that the Petitioner does not want to press this application with liberty to the Petitioner to raise all the points at the time of framing of charge by filing a discharge petition.



5. Considering the submission made, this CRLMC stands disposed of as not pressed.

6. However, it is observed that if the Petitioner surrenders before the learned J.M.F.C. (R), Rourkela in the aforesaid case in the first hour within 21 working days hence and moves 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 bail 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 bail 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.

7. 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.

8. Accordingly, the CRLMC is disposed of.

Issue urgent certified copy of this order as per Rules.

( *Aditya Kumar Mohapatra* )  
*Judge*

Anil

Signature Not Verified

Digitally Signed  
Signed by: ANIL KUMAR SAHOO  
Designation: Junior Stenographer  
Reason: Authentication  
Location: High Court of Orissa  
Date: 24-Jul-2025 14:03:41

