



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.3194 of 2025

Bibhu Nayak @ Naik

.....

Appellant

Represented By Adv. -
Chandan Samantaray

-versus-

State Of Odisha

.....

Respondent

Represented By Adv. -
Mr.U.C.Jena, ASC

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

ORDER
20.08.2025

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Addl. Government Advocate for the State. Perused the records.
3. This application under Section 482 Cr.P.C. has been filed by the Petitioner with a prayer to quash the entire criminal proceeding in Sonapur P.S.Case No.93 of 2022 corresponding to Special G.R.Case No.23 of 2022 pending in the Court of the learned Sessions Judge-cum-Special Judge, Sonapur for alleged commission of offences under Sections 20(b)(ii)(C), 25 and 29 of N.D.P.S. Act.
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



grounds raised herein, at the time of consideration of charge by filing a discharge petition.

5. Considering the submission made, this CRLMC stands disposed of as not pressed with liberty as prayed for.

5. Taking into consideration the aforesaid submissions of the learned counsel for the Petitioner, the Petitioner is directed to surrender before the learned Sessions Judge-cum-Special Judge, Sonapur in Special G.R. Case No.23 of 2022 and move an application for bail within a period of three weeks from today. In the event the Petitioner surrenders and moves for bail within the aforesaid period, learned Sessions Judge-cum-Special Judge, Sonapur shall do well to consider and dispose of the bail application of the Petitioner on the very same day on merit in accordance with law keeping in view the law laid down by the Hon'ble Supreme Court of India in ***Tofan Singh vs. State of Tamil Nadu*** reported in ***(2021) 4 SCC 1*** as well as the shall also apply the principle of parity if the same is applicable.

6. The CRLMC is disposed of accordingly.

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

(***A.K. Mohapatra***)
Judge

RKS

Signature Not Verified

Digitally Signed
Signed by: RAMESH KUMAR SINGH
Designation: AR-CUM-Senior Secretary
Reason: Authentication
Location: High Court of Orissa
Date: 21-Aug-2025 18:53:55

