



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.4696 of 2025

Sachin Naik@behera and others

.....

Petitioners

Represented By Adv. -
Bikash Karna

-versus-

State Of Odisha

.....

Opposite Party

Represented By Adv. –

Mr. S.K. Brahma, ASC

CORAM:

MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

10.12.2025

Order No.

I.A. No.3723 of 2025

- 03.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. This interlocutory application has been filed by the Petitioners seeking modification of the order dated 13.11.2025 is hereby recalled.
 3. Accordingly, I.A. stands disposed of.
 4. Heard learned counsel for the Petitioners and learned counsel for the State. Perused the records.
 5. The present application has been filed by the Petitioners with a prayer to quash the entire criminal proceeding arising out of C.T. Case No.436 of 2019, arising out of Boudh P.S. Case No.160 of 2019, pending in the court of the learned S.D.J.M., Boudh.



6. Learned counsel for the Petitioners at this juncture contended that he does not want to press this application with liberty to raise all the points at the time of framing of charge by filing a discharge petition.

7. Considering the submissions made by the parties, the application is disposed of as not pressed with liberty as sought for.

8. However, on the submission of the leaned counsel, the Petitioners are given liberty to surrender before the learned S.D.J.M., Boudh, in the aforesaid case in the first hour within four weeks hence and move for bail. On such event, the learned Magistrate shall consider their 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 Petitioners 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 Petitioners 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 Petitioners, if applied for.

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

(A.K. Mohapatra)
Judge

Sisir