



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.5203 of 2025

Raju Mahalik

.....

Petitioner

Represented By Adv. -
Susanta Sekhar
Mohapatra

-versus-

1) State Of Odisha

.....

Opposite Parties

2) Rupali Mahalik

Represented By Adv. –
Mr. S.K.Brhama, A.S.C.

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

ORDER
09.12.2025

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 482 of the Cr.P.C has been filed by the Petitioner with a prayer to quash the order of NBW dated 18.11.2020 passed by the learned J.M.F.C.(R), Balasore in C.T. Case No.137 of 2020.
4. Learned counsel for the Petitioner during course of argument submits that the Petitioner does not want to press this application, but the Petitioner intends to surrender and move for bail before the court below, hence, he submits to direct the court below to dispose of the bail application of the Petitioner on the same day.



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

6. However, it is observed that in the event the Petitioner surrenders before the court of learned J.M.F.C.(R), Balasore in the aforesaid case in the first hour within 21 working days hence and moves for bail, the learned J.M.F.C.(R), Balasore shall consider her 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. While considering the bail application of the Petitioner, the courts below shall take into consideration the fact that earlier the Petitioner was released on bail.

7. Case Diary be made available to the concerned courts on an application being filed prior to surrender of the Petitioner before the court below. 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