



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.5212 of 2025

Subash Karmi & Ors.

.....

Petitioners

Represented By Adv. -
Jugala Kishore Panda

-versus-

State Of Odisha

.....

Opp. Party

Represented By Adv. -
S.K. Parhi, 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 Petitioners as well as learned counsel for the State. Perused the application as well as the documents annexed thereto.
3. This is an application under Section 528 of B.N.S.S has been filed by the Petitioners with a prayer to quash the NBW order dated 10.10.2017 passed by the learned Special Judge, Boudh in C.T Case No.85 of 2017 arising out of Special (SC and ST) Case No.35 of 2019 corresponding to Manamunda P.S Case No.34 of 2017, now pending in the file of learned Special Judge, Boudh, for alleged commission of offences under Sections 147/148/341/294/323/506/149 of IPC read with Section 3 of SC & ST (PoA) Act.



4. Learned counsel for the Petitioners during course of argument submits that the Petitioners do not want to press this application with liberty to the Petitioners to raise all the points at a later stage by filing an appropriate application.

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

6. Further, this Court has also elaborately discussed the issue in the case of **Pramod Kumar Ray and others-vrs.-State of Odisha**, reported in (2017) 67 OCR 309. In the light of the principle laid down by this Court in **Pramod Kumar Ray** (supra), the present application is being disposed of with the following observations.

7. Taking into consideration the fact that the Petitioners is ready and willing to cooperate with the trial and some of the co-accused persons have been released on bail, the Petitioners shall surrender before the learned Special Judge, Boudh within three weeks. Seven days before the Petitioners surrender before the said Court, they or their counsel shall serve a copy of the bail application or such number of copies of the bail application on the learned Public Prosecutor/Special Public Prosecutor, as required by him, for the purpose of notice to the victim or his/her counsel or dependent.

8. Further, it is directed that on advance intimation the case diary and other relevant materials be made available to the Court in seisin over the matter by the date of surrender. The learned Court in seisin over the matter is further directed to consider the case of the Petitioners in accordance with law and shall dispose of



the bail application on the very same day within a period of four weeks strictly on the basis of the materials on record, by maintaining the principles of parity, if applicable.

9. Accordingly, the CRLMC is disposed of.

Issue urgent certified copy of this order as per Rules.

(*Aditya Kumar Mohapatra*)
Judge

Anil