



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.5255 of 2025

Sudama @ Sudam Mahalik

.....

Petitioner

Represented by Adv. -
Susanta Sekhar
Mohapatra

-versus-

State Of Odisha and another

.....

Opposite Parties

Mr. S.K. Brahma, ASC

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

ORDER

11.12.2025

Order No.

- 01.
1. This matter is taken up through Hybrid mode.
 2. Heard learned counsel for the Petitioner and learned counsel for the State. Perused the records.
 3. The present application has been filed by the Petitioner challenging order dated 16.02.2024 in C.T. Case No.201 of 2022, pending before the Court of learned J.M.F.C.(R), Balasore.
 4. Learned counsel for the Petitioner at this juncture contended that he does not want to press this application with liberty to raise the point at the time of framing of charge by filing a discharge petition. He further submitted that the Petitioner be permitted to surrender before the Court below and move an application for bail.
 5. Considering the submissions made by the parties, the application is disposed of as not pressed with liberty as prayed for.



6. However, on the submission of the learned counsels without expressing any opinion on the merits of the matter, the Petitioner is given liberty to surrender before the learned J.M.F.C.(R), Balasore, in the aforesaid case in the first hour within 21 working days hence and move 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. 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.

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

(Aditya Kumar Mohapatra)
Judge

S.K. Rout