
Prasanta Sahu Vs State Of Odisha

CRLMC No.657 Of 2023

Court: Orissa High Court

Date of Decision: April 12, 2023

Acts Referred:

Code of Criminal Procedure, 1973 " Section 482

Hon'ble Judges: Sashikanta Mishra, J

Bench: Single Bench

Advocate: A. Das, S.K. Mishra

Final Decision: Disposed Of

Judgement

Sashikanta Mishra, J

1. This matter is taken up through hybrid mode.

2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.

3. Mr. A. Das, learned counsel appearing for the Petitioner submits that the Petitioner has withdrawn the ABLAPL No.1344/2023 being permitted by

a coordinate Bench of this Court as per order dated 10th April, 2023. Considering such submission, the CRLMC is taken up for hearing.

4. This is an application under Section 482 of the Cr.P.C. The Petitioner is an accused in Special case (NDPS) No.12/2022 in the Court of Addl.

Sessions Judge, Kantamal.

5. Considering the submissions made and the materials available on record, this Court is not inclined to quash the entire proceeding relating to

Kantamal P.S. Case No.47/2022.

6. However, liberty is granted to the Petitioner to surrender before the learned Addl. Sessions Judge, Kantamal in the aforesaid case in the first hour

and to move for bail and in case of rejection thereof, he shall be at liberty to move the higher forum for bail in the second hour, which shall be disposed

of on the same day having due regard to the principles of parity. While considering the application for bail, the Court below shall take note of the fact

that the Petitioner has been implicated only on the basis of the statement of the co-accused and further that two of the co-accused persons namely,

Kartika Sethi and Sankar Mallik have also been released on bail as per orders passed by this Court.

7. The CRLMC is, accordingly, disposed of.

8. Urgent certified copy of this order be granted on proper application.

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