



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1729 of 2025

Prafulla Nayak@prafulla Kumar ***Appellant***
Nayak

Represented By Adv. -
Bhabani Shankar
Dasparida

-versus-

1) State Of Odisha ***Respondents***
2) Akshay Mallick

Represented By Adv. -
Rabi Narayan Panda
B.k.nayak
Ms.B.K.Sahu,AGA

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

ORDER
08.07.2025

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 application under Section 528 of B.N.S.S. has been filed by the Petitioner with a prayer to quash the criminal proceeding in Bhandaripokhari P.S.Case No.07 of



2023 corresponding to G.R.Case No.07 of 2023 pending in the Court of the learned JMFC-II(Cog-II), Bhadrak for alleged commission of offences under Sections 147, 148, 323, 325, 307, 302, 452, 294, 354,506/149 of the Indian Penal Code.

4. Learned counsel for the Petitioner during course of argument submits that the Petitioner does not want to press this application with liberty to the Petitioner to raise all the points at the time of framing of charge by filing a discharge petition.

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

6. Further considering the fact that some of the co-accused persons have already released on bail, the Petitioner is directed to surrender before the learned JMFC-II(Cog-II), Bhadrak 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.

7. 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.

8. Accordingly, the CRLMC is disposed of.

Issue urgent certified copy of this order as per Rules.

(Aditya Kumar Mohapatra)
Judge

RKS