



**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**CRLMC No.2612 of 2024**

***Dilip Kumbhar***

.....

***Petitioner***

Represented By Adv. -  
Debasish Routray

-versus-

***State Of Odisha***

.....

***Opposite Party***

Represented By Adv. -  
Mr. M.K. Mohanty, ASC

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

**ORDER**

**31.07.2024**

**Order No.**

- 01.
1. This matter is taken up through Hybrid mode.
  2. Heard learned counsel for the Petitioner as well as learned Additional Standing Counsel for the State. Perused the records.
  3. The present application has been filed under Section 482 of Cr.P.C. challenging the entire criminal proceeding initiated against the present Petitioner.
  4. Learned counsel for the Petitioner submitted that he does not want to press this application at this juncture with liberty to raise the grounds taken hearing at an appropriate stage at the time of discharge. Learned counsel for the Petitioner further contended that although, the Petitioner was released on bail by this Court in ABLAPL No.4355 of 2024 vide order dated 07.05.2024. However, he could not take advantage of the said order due to some inadvertent error in the order passed by this Court. He further contended that although, the Petitioner moved an application for



modification, however, the same was rejected by the Coordinate Bench. Learned counsel for the Petitioner further submitted that in the meantime the co-accused persons have already been released on bail.

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

6. However, it is observed that if the Petitioner surrenders before the learned S.D.J.M., Balangir in the aforesaid case in the first hour within 21 working days hence and moves 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.

Issue urgent certified copy of this order as per Rules.

**( A.K. Mohapatra )**  
**Judge**

S.K. Rout

**Signature Not Verified**  
Digitally Signed  
Signed by: SANTANU KUMAR ROUT  
Reason: Authentication  
Location: High Court of Orissa, Cuttack  
Date: 05-Aug-2024 15:03:34