



**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**CRLMC No.2621 of 2024**

***Benudhar Nayak***

.....

***Petitioner***

Represented By Adv. -  
Gouri Kumar Rath

-versus-

***State Of Odisha***

.....

***Opposite Party***

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

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

**ORDER**  
**07.08.2024**

**Order No.**

01.           1.     This matter is taken up through Hybrid mode.
2.     Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State. Perused the records.
3.     This application has been filed under Section 482 of Cr.P.C. involving offence punishable under Sections 363, 342, 366, 376-DA, 506, 34 of IPC read with Section 6 of POCSO Act in ICC No.01 of 2022 of the Court of learned Addl. District Judge (POCSO), Phulbani.
4.     Learned counsel for the Petitioner during course of argument submits that the Petitioner does not want to press this application, but the Petitioner intends to surrender and move for bail before the Court below, hence, he submits to direct the Court below to dispose of the bail application of the Petitioner on the same day.
5.     Considering the submission made, this CRLMC stands



disposed of as not pressed.

6. However, it is observed that the Petitioner, if so advised, may surrender before the learned Addl. District Judge (POCSO), Phulbani, in the aforesaid case within four weeks from today. In the event the Petitioner surrenders and moves for bail within the aforesaid period, learned Addl. District Judge (POCSO), Phulbani, shall do well to dispose of the bail application of the Petitioner on the same day on merit in accordance with law. The case diary be made available to the concerned court to facilitate disposal of the bail application of the Petitioner.

7. Accordingly, the CRLMC stands disposed of.

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

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

*S.K. Rout*