

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.4086 of 2015

Binodini Sahoo

....

Petitioner

Mr. Pradeep Parida, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr.T.K.Praharaj, SC

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
20.09.2022

Order No.

- 01.
1. Heard learned counsel for the petitioner and learned counsel for the State.
 2. The present petition under Section 482 Cr.P.C. is filed for quashing of the order of issuance of NBWA dated 27th July, 2012 passed by the learned JMFC, Tigrira in C.T. Case No. 77 of 2012 arising out of Tigrira P.S. Case No. 17 of 2012 on the grounds stated therein.
 3. Perused the impugned order which is at Annexure-2.
 4. Learned counsel for the petitioner submits that the petitioner was shown as an absconder in the charge sheet, in fact, during investigation, the I.O. prayed for issuance of warrant subsequent to which, the learned court below, J.M.F.C., Tigrira directed NBWA by order dated 27th July, 2012 and thereafter, the charge sheet was filed

showing him as an absconder. It is submitted that the petitioner should be directed to surrender before the court below and go on bail with any conditions.

5. The Court perused the impugned order i.e. Anneuxre-2 and considering the submission of the learned counsel for the petitioner that the petitioner was shown as an absconder post submission of charge sheet and in the facts and circumstances of the case, it is of the view that he should be directed to surrender and released on bail subject to conditions imposed by the court below.

6. Accordingly, it is ordered.

7. In the result, the CRLMC stands disposed of with a direction to the petitioner to surrender on or before 30th September, 2022 before the learned court of J.M.F.C., Tigiria in connection with C.T. Case No. 77 of 2012 arising out of Tigiria P.S. Case No. 17 of 2012 and in the event of his surrender, the court shall release him on bail with conditions.

8. An urgent certified copy of this order be issued as per rules.

(R.K. Pattanaik)
Judge