

IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.561 of 2022

Sunil Purohit @ Sunil Kumar Puroheet Petitioner

Mr. Manas Chand, Advocate

-versus-

State of Odisha Opp. Party

Mr. K.K. Das, Additional Standing Counsel

CORAM:
SHRI JUSTICE B. P. ROUTRAY

ORDER
17.3.2022

Order No.

01. 1. Heard Mr. Manas Chand, learned counsel for the Petitioner and Mr. K.K. Das, learned Additional Standing Counsel.
2. Order dated 13th December, 2021 of learned C.J.M., Nuapada issuing NBW of arrest against the Petitioner in C.T. Case No.420 of 2016 is challenged in the present application.
3. It is submitted that upon transfer of the case record from the court of learned J.M.F.C., Khariar to the court of C.J.M., Nuapada, the Petitioner who is an accused in the aforesaid criminal case, was not directed to appear before the learned C.J.M. on the date fixed. On the other hand, learned C.J.M. upon receipt of the case record straightaway issued NBW against the Petitioner though he was on bail.
4. Upon hearing Mr. Das, learned Additional Standing Counsel and perusal of order dated 6th November, 2021, it reveals that the case record was transferred to the court of learned C.J.M., Nuapada with a

direction to the accused – Petitioner to appear before the learned C.J.M., as and when required. No date was fixed for appearance of the accused. The case record was received by the C.J.M. on 18th November, 2021 and it was fixed to 13th December, 2021 directly for framing of charge without saying anything on appearance of the accused. On 13th December, 2021 the order of NBW against the Petitioner was issued instead of giving intimation to the Petitioner to appear on the date fixed.

5. Keeping such facts in view, the impugned order dated 13th December, 2021 is quashed and the Petitioner is directed to appear before the learned C.J.M., Nuapada on or before 18th April, 2022. Since the Petitioner was already on bail, he should be allowed to continue on previous bail.

6. With the aforesaid directions the CRLMC is disposed of.

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

(B.P. Routray)
Judge