

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.765 of 2022

Balia @ Subhankar Bhoi *Petitioner*
-versus-
State of Odisha *Opposite Party*

CORAM: JUSTICE S. PUJAHARI

ORDER

21.06.2022

Order
No.

- 02.
1. This matter is taken up through hybrid mode.
 2. Heard the learned counsel for the Petitioner and the learned counsel for the State.
 3. This application under Section 482 of Cr.P.C. has been filed by the Petitioner with a prayer to quash the order dated 6th January, 2022 passed by the learned Additional District Judge (FTSC), Cuttack in Spl. G.R. Case No.168 of 2018 wherein N.B.W.(A) has been issued against him.
 4. Considering the facts and submissions made, I am not inclined to quash the impugned order. However, it is open to the Petitioner to surrender before the Court in seisin over the matter within three weeks hence and if he surrenders and moves for bail, the Court in seisin over the matter shall allow him to go on bail on such terms and conditions including the condition that he shall cooperate with the trial.

5. However, the aforesaid is subject to verification of the fact that the Petitioner was earlier released on bail for the self same offences, but for his non-appearance, N.B.W.(A) has been issued against him.

6. Till the aforesaid date, i.e., either the date of appearance before the trial Court or on expiry of three weeks, whichever is earlier, the Petitioner shall not be arrested pursuant to the N.B.W.(A) issued.

7. It is made clear that in spite of this order, if the Petitioner after his release again makes default in appearance, in the next coercive steps taken, this fact also be reflected by the trial court.

8. It is further made clear that no further extension of time with regard to surrender of the Petitioner shall be granted in any circumstances.

9. With the aforesaid order, this CRLMC stands disposed of.

10. Urgent certified copy of this order be granted on proper application.

(S. Pujahari)
Judge