

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.819 of 2022

Laxmidhar Rout

.... ***Petitioner***

Mr. P. Parija, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr. K. Das, A.S.C.

CORAM:

JUSTICE B. P. ROUTRAY

ORDER

04.04.2022

Order No.

01.

1. Heard Mr. P. Parija, learned counsel for the Petitioner as well as Mr. K. Das, learned A.S.C. for the State-Opposite Party.

2. The order of issuance of NBW against the present Petitioner dated 14.03.2022 of the learned J.M.F.C. (C), Cuttack in G.R. Case No.703/2019 is under challenge in the present application.

3. The grievance of the present Petitioner is that despite the order of the learned Sessions Judge, Cuttack directing to release him on bail, the learned J.M.F.C. (C), Cuttack has issued NBW against him.

4. The fact remains that as per the order of the learned Sessions Judge, Cuttack, the Petitioner was released on bail on 30.4.2019 with a direction to deposit certain amount of cash outstanding against him in Odisha Gramya Bank. Thereafter he approached this Court in CRLMA No.266 of 2019 and this Court by order dated 03.03.2020 has modified that amount up-to Rs.1 lakh with

direction to deposit the same within a period of one month. This Court has further observed that if the Petitioner fails to deposit the amount within the period stipulated, the order of modification will not be given effect to.

5. Admittedly the Petitioner has failed to deposit the amount despite being released on bail on 30.4.2019. As a consequence of the same, learned J.M.F.C. (C), Cuttack issued NBW against the Petitioner for he failed to comply the conditions of the order of bail. In the meantime more than 2 years have passed after his release on bail. Therefore, I do not see any illegality in the order of the learned J.M.F.C. in issuing NBW against the Petitioner for failure to comply the conditions of bail.

6. Accordingly, the CRLMC is dismissed.

(*B.P. Routray*)
Judge