

IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.951 of 2022

Iswar Benda

....

Petitioner

Mr. B.K. Mishra, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. P.K. Mohanty, Additional Standing Counsel

CORAM:
SHRI JUSTICE B. P. ROUTRAY

ORDER
18.5.2022

Order No.

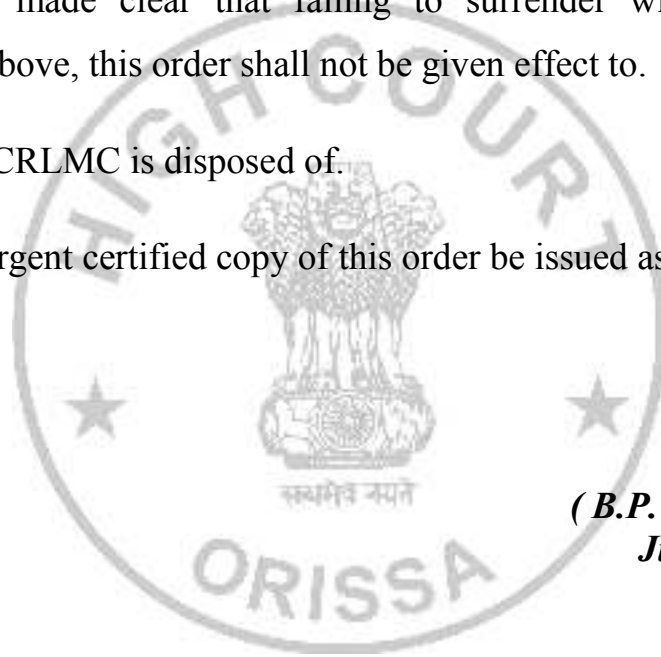
01. 1. Heard Mr. B.K. Mishra, learned counsel for the Petitioner and Mr. P.K. Mohanty, learned Additional Standing Counsel for Opposite Party – State.
2. It is submitted on behalf of Petitioner that he was earlier released on bail by the learned Additional Sessions Judge-cum-Special Judge, Malkangiri in T.R. No.23 of 2019(T) as per order dated 23rd November, 2020 passed in BLAPL No.8215 of 2019. The alleged offence is under Section 376(2)(n)/506 of I.P.C. and under Section 6 of POCSO Act.
3. It is further submitted that due to communication gap, the lawyer of the Petitioner filed no instruction memo. Consequently, NBW of arrest was issued against him vide order dated 6th December, 2021.

4. Thus considering the limited nature of prayer and after hearing learned counsel for the State, in the interest of justice, the CRLMC is disposed of with a direction that in the event the Petitioner surrenders on or before 20th June, 2022 before the learned court below and moves for bail, he be released on bail in the aforesaid case on such terms and conditions to be fixed by the learned court below in seisin over the matter including the condition that he shall attend the court on each date fixed.

5. It is made clear that failing to surrender within the time stipulated above, this order shall not be given effect to.

6. The CRLMC is disposed of.

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



(B.P. Routray)
Judge