

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1096 of 2020

Niranjan Mohanty

....

Petitioner

Mr. D. Routray, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM:

JUSTICE S.K. PANIGRAHI

ORDER

24.01.2022

Order No.

01. 1. The matter is taken up through video conferencing mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner has filed this application under Section 482 of the Cr.P.C. to quash the order dated 22.08.2019 passed by the learned Sessions Judge, Khurda at Bhubaneswar in T.R. Case No.365 of 2018 issuing N.B.W. against him.
4. Learned counsel for the petitioner submits that the petitioner was granted bail on 06.03.2018 by the learned Sessions Judge, Khurda at Bhubaneswar in T.R. Case No.365 of 2018. The petitioner failed to abide the conditions imposed in the said bail order. Hence, N.B.W. was issued on 22.08.2019 by the learned Sessions Judge, Khurda at Bhubaneswar.

5. Since the petitioner has violated the conditions prescribed in the bail order and did not bother to surrender for such a long time, he is directed to surrender before the court in seisin over the matter in the aforesaid case forthwith preferably within a period of fifteen days hence. Upon his surrender, the court shall grant him bail with some stringent conditions so as to ensure his regular attendance on each date of posting of the trial. In addition, the petitioner shall deposit a sum of Rs.2,000/- (rupees two thousand only) as cost for non-compliance of the court's order. The said amount shall be deposited before the High Court Bar Associations Welfare Fund and copy of the said deposit shall be presented before the court in seisin over the matter.

6. Accordingly, the CRLMC is disposed of. The order of issuance of N.B.W. against the petitioner on 22.08.2019 in T.R. Case No.365 of 2018 is hereby quashed.

7. As the restrictions due to resurgence of Covid-19 are continuing, learned counsel for the parties may utilize a print out of the order available in the High Court's website, at par with certified copy, subject to attestation by the Advocate concerned with his/her seal, in the manner prescribed vide Court's Office Order dated 7th January, 2022.

(S.K. Panigrahi)
Judge

PCD