

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 1447 of 2022

**Krushna Chandra Jena &
Another**

....

Petitioners

Mr. S.K. Dwibedi, Advocate

-Versus -

State of Odisha

Opposite Party

....

Mr. A. Pradhan,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

31.05.2022

**Order No.
01.**

1. Heard learned counsel for the petitioner and learned Addl. Standing Counsel for the State.
2. The petitioners are accused in G.R. Case No.1868(B) of 1996 of the Court of learned S.D.J.M.(S), Cuttack. The petitioners were released on bail.
3. Perusal of the impugned order reveals that the petitioners did not appear on the date fixed for which by order dated 20.01.2022, learned Court below directed issuance of NBW against them, which is impugned in the present application.
4. Learned counsel for the petitioners submits that because of communication gap between the petitioners and the conducting lawyer they were unable to know about the posting of the case and hence could not appear, but they undertake to appear before the Court regularly in future.
5. Having regard to the submissions made and the materials on record, I am inclined to allow the prayer. The impugned order in so

far as it relates to issuance of NBW against the petitioners- Krushna Chandra Jena and Laxmidhar Jena is hereby quashed. The petitioners are granted liberty to surrender before the trial court within a period of three weeks and move for bail and in such event, they shall be allowed to go on previous bail.

6. The CRLMC is disposed of.

7. Issue urgent certified copy as per rules.

(Sashikanta Mishra, J)
Vacation Judge

A.K. Rana

