

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1449 of 2022

Kabindra Patra ***Petitioner***
-versus-
State of Odisha and another ***Opposite Parties***

CORAM: JUSTICE S. PUJAHARI

Order
No.

ORDER
27.06.2022

- 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-Opposite Party No.1.
 3. This application under Section 482 of Cr.P.C. has been filed by the Petitioner with a prayer to quash the order dated 7th March, 2022 passed by the learned S.D.J.M., Bhubaneswar in I.C.C. No.1865 of 2019 wherein N.B.W.(A) has been issued against him.
 4. As it appears, in the complaint case, the trial court after taking note of the materials available on record has taken cognizance and issued summon for appearance of the Petitioner, but due to Covid-19 pandemic, he did not appear before the court below when the case was posted on 7th March, 2022 and no step was taken on his behalf on the date fixed, as

such, N.B.W.(A) has been issued against him vide the impugned order to secure his attendance.

5. Considering the aforesaid facts and submissions made, especially the circumstances in which the N.B.W.(A) was issued, this Court finds no reason to interfere with the impugned order.

6. However, it is open to the Petitioner to surrender before the Court in seisin over the matter within six weeks hence and if he surrenders and moves for bail, the Court in seisin over the matter shall release him on bail in connection with the aforesaid case on such terms and conditions as it may deem just and proper in view of the law laid down by the Apex Court in the case of *Satender Kumar Antil v. Central Bureau of Investigation & Anr., reported in 2021 (II) OLR (SC) – 981*.

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

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

(S. Pujahari)
Judge

DA