

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 1514 OF 2022

SK. Palla & Another

***..... Petitioners
Mr. P.K. Das, Advocate***

-versus-

State of Odisha

***..... Opposite Party
Mr. S.S. Pradhan, AGA***

**CORAM:
JUSTICE V. NARASINGH**

**ORDER
07.06.2022**

Order No.

01.

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. Learned counsel for the petitioner does not want to press this CRLMC in respect of the Petitioner No.1- Sk. Palla, the same is accordingly disposed of as withdrawn.
4. Learned Counsel for the petitioner submits that, the description of petitioner in Paragraph No.-1 of the Affidavit at Page-5 has been wrongly stated in as much as the petitioner no.2 has been wrongly cited as petitioner no.1.
5. Taking into account the nature of such submission, the anomaly is ignored.

6. Being aggrieved by the Order dtd.07.02.2022 passed by the Learned S.D.J.M., Bhadrak in G.R. Case No. 413 of 1991 issuing NBW against the petitioner for non-appearance on the date fixed. The present CRLMC has been filed under Section-482 Cr.P.C.

7. Considering the recitals in the CRLMC petition and submission of the learned counsel for the parties, this Court does not find any infirmity in the impugned order. Yet, to enable the petitioner no.2 to effectively defend his rights, this Court directs that on surrendering within a period of four weeks hence, the petitioner shall be released on bail on such terms and conditions to be fixed by the learned Court in seisin over the matter.

The impugned order is set aside.

8. It is needless to state here, in the event the petitioner no.2 does not surrender within the time specified, this order shall stand recalled and it shall be open for the Learned Court below to take steps to enforce the impugned order.

9. The CRLMC stands disposed of.

10. Urgent certified copy of this order be granted as per rule.

Balaram

*(V.Narasingh)
Vacation Judge*