

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 1531 of 2022

Sumanta Kumar Rout

....

Petitioner

Mr. Bikram Keshari Bal, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr. Tapas Ku. Praharaj, S.C.

CORAM:

MR. JUSTICE R.K. PATTANAIK

ORDER

23.08.2022

Order No.

- 01.
1. Heard learned counsel for the petitioner and learned counsel for the State.
 2. Instant petition under Section 482 Cr.P.C. has been filed by the petitioner for quashing of the order dated 19th April, 2022 passed by the learned Additional Sessions Judge, Athagarh, Cuttack in S.T. Case No.63 of 2016 in connection with Tigiria P.S. Case No.45 of 2016 directing issuance of NBW against him and fixing the case to 19th May, 2022 for his production.
 3. Learned counsel for the petitioner submits that due to default of the Petitioner at the stage of the trial and considering the fact that he was on bail, the impugned order under Annexure-2 should be quashed in the interest of justice which has been objected by the learned Standing Counsel on the ground that there is no illegality committed by the trial court and due to default of the petitioner, rightly NBW has been issued against him.

4. It is rightly pointed out that there is no illegality in the impugned order dated 19th April, 2022. However having regard to the fact that petitioner has defaulted during the trial stage and the default is recent one, this Court is inclined to direct him to surrender before the court below and released on bail with conditions.

4. Accordingly, it is ordered.

5. In the result, the CRLMC stands disposed of with a direction to the petitioner to surrender before the learned Additional Sessions Judge, Athagarh in S.T. Case No.63 of 2016 arising out of Tigriria P.S. Case No.45 of 2016 and in the event of surrender on or before 6th September, 2022, he shall be released on bail on such terms and conditions as would be fixed by the court below besides obtaining an undertaking to the effect that he shall not default in future till the conclusion of trial.

(R.K. Pattanaik)
Judge

U.K.Sahoo

