

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1545 of 2022

***Akshaya Halwa @ Halba and
another*** ***Petitioners***

-versus-

State of Odisha ***Opposite Party***

CORAM: JUSTICE S. PUJAHARI

**Order
No.**

**ORDER
30.06.2022**

01. 1. This matter is taken up through hybrid mode.
2. Heard the learned counsel for the Petitioners and the
 learned counsel for the State.
3. This application under Section 482 of Cr.P.C. has been
 filed by the Petitioners with a prayer to quash the order dated
 10th November, 2021 passed by the learned Assistant Sessions
 Judge, Koraput in C.T. No.03 of 2020 wherein N.B.W.(A) has
 been issued against them.
4. It appears that the Petitioners, who have been indicted
 in the aforesaid case, were on bail and facing trial, but when the
 case was posted on 10th November, 2021 for framing of charge,
 they did not appear before the Court below and no step was
 taken on their behalf on the date fixed, as such, N.B.W.(A) has

been issued against them vide the aforesaid order to secure their attendance. However, the Petitioners have challenged the same in this petition, but during course of hearing, it is submitted by the learned counsel for the Petitioners that the Petitioners are now ready and willing to surrender before the trial Court and cooperate with the trial and as such, the trial Court may be directed to release them on bail on any terms and conditions as it may deem just and proper.

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 after framing of charge, consider such petition of the Petitioner sympathetically.

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

