

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1551 of 2022

***Anil Kumar Sadapeli @ Sadapalli
& others***

....

Petitioners

-versus-

State of Odisha

....

Opposite Party

CORAM: JUSTICE S.PUJAHARI

ORDER

11.08.2022

Order No.

01.

1.This matter is taken up through Hybrid mode.

2. Learned counsel for the Petitioners has filed the certified copy of the order annexing the memo dated 11.08.2022 in Court today. The same be kept on record.

3. Heard learned counsel for the Petitioners and learned counsel for the State.

4.This application under Section 482 of Cr.P.C. has been filed by the Petitioners with a prayer to quash the order dated 06.04.2022 passed by the learned Addl. Sessions Judge, Koraput in C.T. Case No.127 of 2013 wherein N.B.W. (A) has been issued against them.

5.It appears that the Petitioners, who have been indicted in the aforesaid case, were on bail but, when the case was posted on

06.04.202, they did not appear before the court below, as such, N.B.W.(A) has been issued against them vide the aforesaid order to procure their attendance. However, the Petitioners have come forward to challenge the same, but during the course of hearing, it is submitted by the learned counsel for the Petitioners that since the Petitioners are now ready and willing to surrender before the trial court and cooperate with the trial, the trial court may be directed to release them on bail on any terms and conditions as it may deem just and proper.

6. Learned counsel for the State vehemently opposes to release the Petitioners on bail.

7. Considering the facts and the submissions made, though this Court is not inclined to interfere with the impugned order but directs that if the Petitioners surrender before the court in seisin over the matter and move for bail within four weeks' hence, the court in seisin over the matter shall allow them to go on bail on such terms and conditions including the condition that they shall deposit an amount of Rs.5,000/- (rupees five thousand) each before the court in seisin over the matter and if the Petitioners do not cooperate with the trial, the amount so deposited shall be forfeited. If the Petitioners do not surrender within the time stipulated, there is no impediment to execute the N.B.W.(A) issued against the Petitioners thereafter.

8. Till the aforesaid date, i.e. either the date of appearance before the trial court or on expiry of four weeks, whichever is earlier, the Petitioners shall not be arrested pursuant to the N.B.W.(A) issued.

9. With the aforesaid order, this Criminal Misc. Case stands disposed of.

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

(S. Pujahari)
Judge

PKS

