

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1559 of 2022

Lochan Dalei

....

Petitioner

Mr. B.R. Mohanty, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

01.08.2023

I.A. No.2238 of 2023

Order No.

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioner as well as learned counsel for the State.
 3. In view of the submissions made, the order dated 13.06.2023 is hereby recalled. Accordingly, the I.A. stands allowed.

(A.K. Mohapatra)

Judge

CRLMC No.1559 of 2023

- 03.
4. Heard learned counsel for the petitioner as well as learned Additional Standing Counsel for the State. Perused the CRLMC petition as well as the documents annexed thereto.
 5. It is submitted on behalf of the Petitioner that the Petitioner is an accused persons in S.T. Case No.01/219 of 2020-2019 in connection with G.R. Case No.296(A) of 2007, arising out of Odagaon P.S. Case No.53 of 2007 pending in the court of learned

Assistant Sessions Judge, Nayagarh and now pending in the court of learned Adhoc Additional Sessions Judge (FTC), Nayagarh vide S.T. Case No.60/44 of 2022/08(A) in connection with Odagaon P.S. Case No.53 of 2007 for commission of offences under Sections 366-A/373/109 of I.P.C.

6. It is submitted that petitioner was on court bail and only on 14.10.2009 since the petitioner remained absent and step was not taken on his behalf by the conducting counsel, NBW of arrest was issued against the Petitioner. The said order is under challenged before this Court.

7. It is also submitted that due to communication gap, the Petitioner could not attend the court.

8. Considering the submission, it is directed that the order dated 14.10.2009, passed by the Asst. Sessions Judge, Nayagarh for issuance of NBW against the petitioner is set aside subject to furnishing cash security of Rs.5,000/- (Rupees five thousand). Petitioner is given liberty to surrender before the learned court below in the aforesaid within a period fortnight hence, which shall be dealt with in accordance with law.

9. The CRLMC is accordingly disposed of.

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

(A.K. Mohapatra)
Judge

Jagabandhu
Signature Not Verified

Digitally Signed
Signed by: JAGABANDHU BEHERA
Designation: Secretary-in-Charge
Reason: Authentication
Location: ohc, cuttack
Date: 02-Aug-2023 10:56:07

