

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1609 of 2022

Sipun @ Riphan Sahu@ Ripan Sahu

....

Petitioner

Mr. A.K.Nath, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr.P.K.Rout,AGA

**CORAM:
MR. JUSTICE R.K. PATTANAİK**

**ORDER
26.08.2022**

Order No.

01.

1. Heard learned counsel for the petitioner and learned counsel for the State.

2. The challenge is as to the order of issuance of NBW/A vis-à-vis the petitioner in connection with S.T. Case No. 12 of 2020 arising out of B.Sadar P.S. Case No. 183 of 2011 pending before the learned court of Sessions Judge, Ganjam, Berhampur on the grounds stated therein.

3. Learned counsel for the petitioner submits that the petitioner was on bail but by the impugned order dated 23rd September, 2021 NBW/A was issued by the learned court below. Learned counsel for the State submits that the petitioner since failed to appear before the court, therefore, the impugned order under Annxure-1 was passed.

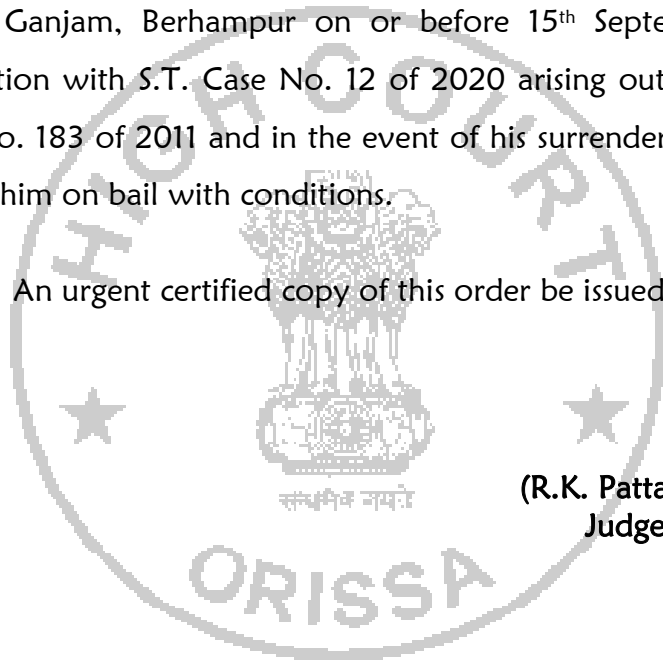
4. Having gone through the impugned order of issuing NBWA, the Court does not find any error or legal infirmity therein, inasmuch

as, the learned court below rightly passed the order since the petitioner defaulted in appearance in 2021 on the date fixed. However, having regard to the above facts, the petitioner should be directed to surrender and released on bail subject to conditions imposed by the court below.

5. Accordingly, it is ordered.

6. In the result, the CRLMC stands disposed of with a direction to the petitioner to surrender before the learned court of Sessions Judge, Ganjam, Berhampur on or before 15th September, 2022 in connection with S.T. Case No. 12 of 2020 arising out of B.Sadar P.S. Case No. 183 of 2011 and in the event of his surrender, the court shall release him on bail with conditions.

7. An urgent certified copy of this order be issued as per rules.



(R.K. Pattanaik)
Judge