

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1665 of 2022

Akshya Parida @ Akshya Kumar *Petitioner*
Parida
-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 Petitioner and the learned counsel for the State.
3. This application under Section 482 of Cr.P.C. has been filed by the Petitioner with a prayer to quash the order dated 6th May, 2022 passed by the learned J.M.F.C., Pipili in G.R. Case No.288(A) of 2005 wherein N.B.W.(A) has been issued against him.
4. It appears that the Petitioner, who has been indicted in the aforesaid case, was on bail and facing trial, but when the case was posted on 6th May, 2022, he did not appear before the Court below and no step was taken on his behalf on the date fixed, as such, N.B.W.(A) has been issued against him vide the aforesaid order to secure his attendance. However, the

Petitioner has challenged the same in this petition, but during course of hearing, it is submitted by the learned counsel for the Petitioner that the Petitioner is 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 him 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 shall allow him to go on bail on such terms and conditions including the condition that he shall cooperate with the trial.

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

8. It is made clear that in spite of this order, if the Petitioner after his release again makes default in appearance, in the next coercive steps taken, this fact also be reflected by the trial court.

9. It is further made clear that no further extension of time with regard to surrender of the Petitioner shall be granted in any circumstances.

10. With the aforesaid order, this CRLMC stands disposed of.

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

(S. Pujahari)
Judge

DA

