

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 1712 of 2022

Srimanta Samantaray and others Petitioners
Mr. Bikash Kumar Routray, Advocate

-Versus-

State of Odisha Opposite Party
Mr. Tapas Ku. Praharaj, S.C.

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
23.08.2022

Order No.

- 01.
1. Heard learned counsel for the petitioners and learned counsel for the State.
 2. Present petition under Section 482 Cr.P.C. has been filed by the petitioners for quashing of the order of NBW dated 15th November, 2016 passed by the learned S.D.J.M., Kendrapara in G.R. Case No.709 of 2008 arising out of Patkura P.S. Case No.276 of 2008 on the grounds stated therein.
 3. Learned counsel for the petitioners submits that the petitioners were on bail and during enquiry/trial stage, since the counsel appearing for them did not take any steps in the court below, the order of NBW (Annexure-1) was issued and considering the above facts, petitioners should be directed to be surrender before the court and released on bail.
 4. Admittedly, the petitioners were on bail but then, they were absent on the date fixed i.e. on 15th November, 2016 therefore, learned S.D.J.M., Kendrapara issued NBWs against them.

Although the impugned order is of the year 2016 but till date the petitioners could not be apprehended, NBWs is still pending execution. However, having regard to the above facts, the Court is of the view that the petitioners should surrender before the court below which would rather serve the purpose and meet the ends of justice.

5. Accordingly, it is ordered.

6. In the result, the CRLMC stands disposed of with a direction to the petitioners to surrender before the learned S.D.J.M., Kendrapara in G.R. Case No.709 of 2008 arising out of Patkura P.S. Case No.276 of 2008 and in such an event, they shall be released on bail subject to the conditions as deemed just and proper in the facts and circumstances of the case.

(R.K. Pattanaik)
Judge

U.K.Sahoo

