

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1718 of 2022

Mirza Zakir Baig

....
Mr. R.K. Pattanaik, Advocate

Petitioner

-Versus-

State of Odisha

....
Mr. S.S. Mohapatra, ASC

Opposite Party

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
05.09.2022

Order
No.

01.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. Instant petition under Section 482 Cr.P.C. is filed by the petitioner for quashing of the issuance of NBW dated 18th June, 2019 of the learned J.M.F.C., Salipur on the grounds stated therein.
3. Perused the impugned order dated 18th June, 2019 i.e. Annexure-1.
4. Learned counsel for the petitioner submits that the petitioner was on bail from 5th April, 2006 but on the date fixed, he could not appear and no step was either taken on his behalf by the engaged counsel, for which, the court below issued NBW against him fixing on 11th December, 2019 for production and as the warrant is still pending execution and considering the same, appropriate order may be passed.
5. The Court does not find any wrong or error committed by the learned court below while issuing NBW on account of default of

the petitioner but then having regard to the fact that he was on bail for a long time since 2006, the Court is of the view that the petitioner should be allowed to surrender and go on bail with conditions.

5. Accordingly, it is ordered.

6. In the result, the CRLMC stands disposed of with a direction to the petitioner to surrender on or before 23rd September, 2022 before the learned J.M.F.C., Salipur in G.R. Case No.46 of 2006 and in the event of his surrender, Court shall release him on bail with conditions as deemed just and proper in the facts and circumstances of the case.

(R.K. Pattanaik)
Judge

Tudu

