

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 1770 of 2022

Ashok Kumar Behera

.... **Petitioner**
Mr. S.K. Deo, Advocate

-Versus-

State of Odisha

.... **Opposite Party**
Mr. S.S.Mohapatra, ASC,

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 instant petition under Section 482 Cr.P.C. has been filed by the petitioner challenging the order dated 2nd May, 2015, passed by the learned J.M.F.C., Daspalla in G.R. Case No.105 of 2005 arising out of Daspalla P.S. Case No.65 of 2005, for having issued the non-bailable warrant of arrest against the petitioner, on the grounds stated therein.
 3. Perused the impugned order under Annexure-1, whereby learned court below issued the order of NBW against the petitioner due to his default which is absolutely justified and therefore, calls for no interference. However, it is submitted that the petitioner was on bail but due to recent default, the order has been passed.

4. Having regard to the submissions of learned counsel for the parties, the Court is inclined to direct the petitioner to surrender and move for bail. Accordingly, it is ordered.

5. The petitioner is directed to surrender before the court below on or before 15th September, 2022 in G.R. Case No.105 of 2005 arising out of Daspalla P.S. Case No.65 of 2005 and move for bail and in such an event, the court below shall release him on bail with conditions as deemed fit and proper.

6. The CRLMC stands disposed of.

U.K.Sahoo

