

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1772 of 2022

Manas Rout @ Manas @ Bidush Rout
@ Bidush Kumar Rout @ Bedusa Rout
and another

Petitioners

Mr. A.C. Behera, Advocate

-Versus-

State of Odisha

.... Opposite Party

Mr. S.S. Mohapatra, ASC

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
25.08.2022

Order
No.

- 01.
1. Heard learned counsel for the petitioners and learned counsel for the State.
 2. Presence the challenge is to issuance of NBW by the learned court below in S.T. Case No.248-A/09 of 2016-17 arising out of G.R. Case No.36 of 2016 pending in the file of learned Assistant Sessions Judge, Rairakhol on the grounds stated therein.
 3. Perused the impugned order under Annexure-1.
 4. The leaned counsel for the petitioners submits that the petitioners were on bail granted on 19.10.2016 and 19.12.2016 but subsequently both failed to turn up, as a result of which, the NBWs were issued by the court below. It is further submitted that the default on the part of the petitioners was no deliberate and it was unintentional and therefore, they should be allowed to surrender and go on bail.

5. This Court does not find any error committed by the learned court below while issuing the warrants of arrest against the petitioners as it was on account of their default. But having regard to the fact that the petitioners were on previous bail in the year 2016 and the warrants of arrest were issued in 2018 and since then it is pending exclusion, they should be directed to surrender before the court below one of the reasons being to ensure early commencement and completion of enquiry and trial.

6. Accordingly, it is ordered.

7. In the result, the CRLMC stands disposed of with a direction to the petitioners to surrender on or before 14th September, 2022 before the learned Assistant Sessions Judge, Rairakhol in S.T. Case No.248-A/09 of 2016-17 arising out of Naktideul P.S. Case No.10 of 2016 and in the event of their surrender, the court shall do well to release them on bail with any stringent conditions as deemed just and proper in the facts and circumstance of the case.

(R.K. Pattanaik)
Judge

TUDU