

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1803 of 2022

Gana Pradhan

Petitioner

Mr. D.K. Sahoo, Advocate

-Versus-

State of Odisha

.... Opposite Party

Mr. S.S. Mohapatra, ASC

CORAM:
MR. JUSTICE R.K. PATTANAİK

Order
No.

ORDER
26.08.2022

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 assailing the impugned order under Annexure-1 whereby the learned court below issued NBW against the petitioner in connection with G.R. Case No.243(A) of 2015 on the grounds stated therein.
3. Perused the impugned order dated 15th February, 2022.
4. The learned counsel for the petitioner submits that the petitioner was on bail but only on a single date of default, the NBW was issued which is therefore to be recalled. Rather, the Court finds that on account of non-appearance of the petitioner on the date fixed, the warrant has been issued. Therefore, the Court does not find any error or illegality committed by the learned court below in issuing NBW as the petitioner had defaulted on the date fixed. However, for the fact that it was a single default, the Court is of view that the petitioner should be directed to surrender and go on bail.

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 15th September, 2022 before the learned J.M.F.C., Pattamundai in G.R. Case No.243(A) of 2015 which corresponds to Pattamundai P.S. Case No.243 of 2015 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

