

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1830 of 2022

Bishnupriya Pradhan @ Senapati* *Petitioner

-versus-

State of Odisha* *Opposite Party

CORAM: JUSTICE S.PUJAHARI

ORDER

11.08.2022

Order No.

01. 1.This matter is taken up through Hybrid mode.
- 2.Heard learned counsel for the Petitioner and learned counsel for the State.
- 3.This application under Section 482 of Cr.P.C. has been filed by the Petitioner with a prayer to quash the order dated 06.04.2013 passed by the learned J.M.F.C., Harabhanga in G.R. Case No.399 of 2011 wherein N.B.W. (A) has been issued against her.
- 4.It appears that the Petitioner, who has been indicted in the aforesaid case, was on bail but, when the case was posted on 06.04.2013, she did not appear before the court below, as such, N.B.W.(A) has been issued against her vide the aforesaid order to secure his attendance. However, the Petitioner has come forward to challenge the same, but during the course of hearing, it is submitted by the learned counsel for the Petitioner that since the Petitioner is now ready and willing to surrender before the trial court and cooperate with the trial, the trial court may be directed

to release her on bail on any terms and conditions as it may deem just and proper.

5. Learned counsel for the State vehemently opposes to release the Petitioner on bail.

6. Considering the facts and the submissions made, though this Court is not inclined to interfere with the impugned order but directs that if the Petitioner surrenders before the court in seisin over the matter and moves for bail within four weeks' hence, the court in seisin over the matter shall allow her to go on bail on such terms and conditions including the condition that she shall deposit an amount of Rs.5,000/- (rupees five thousand) before the court in seisin over the matter and if the Petitioner does not cooperate with the trial, the amount so deposited shall be forfeited. If the Petitioner does not surrender within the time stipulated, there is no impediment to execute the N.B.W.(A) issued against the Petitioner thereafter.

7. Till the aforesaid date, i.e. either the date of appearance before the trial court or on expiry of four weeks, whichever is earlier, the Petitioner shall not be arrested pursuant to the N.B.W.(A) issued.

8. With the aforesaid order, this Criminal Misc. Case stands disposed of.

9. Urgent certified copy of this order be granted on proper application.

(S. Pujahari)
Judge