

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1836 of 2022

Tanka Gopal

Petitioner

Mr. U. Barik, Advocate

-Versus-

State of Odisha

.... Opposite Party

Mr. S.S. Mohapatra, ASC

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

25.08.2022

Order
No.

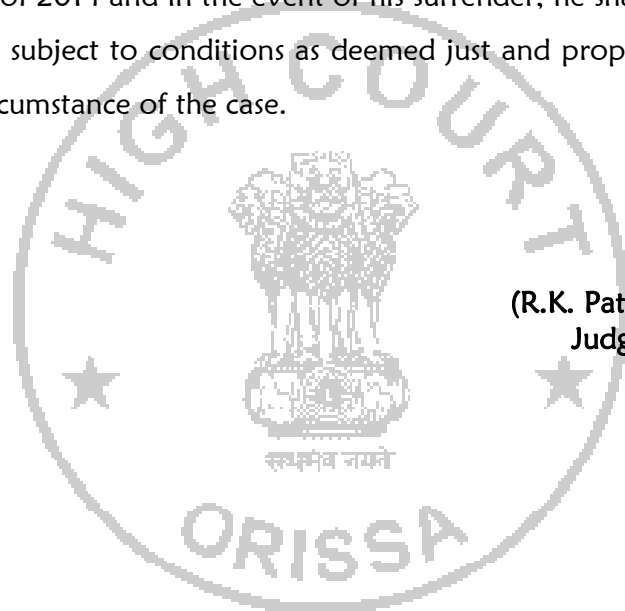
- 01.
1. Heard learned counsel for the petitioner and learned counsel for the State.
 2. Petition is filed under Section 482 Cr.P.C. for quashing of the order dated 17th January, 2019 i.e. Annexure-2 whereby the learned court below issued NBW by order dated 17th January, 2019 vis-à-vis the petitioner on the grounds stated therein.
 3. Perused the FIR and impugned order under Annexure-2.
 4. Even after considering the submissions of the learned counsel for the parties, the Court does not find any reason to interfere with the impugned order since because during the stage of trial, the petitioner failed to turn up and rightly therefore the court below issued NBW against him and posted the case to a date for his production.
 5. However, having regard to the fact that the petitioner was on bail and notwithstanding the fact that during the stage of trial the default has taken place, as a result of which, there has been

delay in its completion, the Court is of the view that he should be directed to surrender and go on bail so as to ensure early closure of the held up trial.

6. Accordingly, it is ordered.

7. 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 Additional District and Sessions Judge-cum-Special Court under POCSO Act, Bhubaneswar in C.T. Case No.230 of 2014 (POCSO) arising out of Bhawanipatna Sadar P.S. Case No.73 of 2014 and in the event of his surrender, he shall be released on bail subject to conditions as deemed just and proper in the facts and circumstance of the case.

TUDU



(R.K. Pattanaik)
Judge