

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1877 of 2022

Nalu @Niranjan Parida

.... Petitioner

-versus-

State of Odisha

.... Opposite Party

CORAM: JUSTICE S.PUJAHARI

ORDER

04.08.2022

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 09.05.2018 passed by the learned Addl. Sessions Judge, Bhubaneswar in T.R. No.119 of 2014 wherein N.B.W. (A) has been issued against him.

4.It appears that when the case was posted on 09.05.2018, he did not appear before the court below, as such, N.B.W.(A) has been issued against him vide the aforesaid order to procure 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 a daily labourer, he could not able to remain present

on the date fixed as such N.B.W.(A) has been issued against him but he is now ready and willing to surrender before the trial court and cooperate with the trial, the trial court may be directed to release him 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 and since the case is triable by court session and the Petitioner has absconded since 2018 and there is no illegality or infirmity in the impugned order, this Court is not inclined to interfere with the same.

7. Accordingly, the CRLMC filed being devoid of merit stands dismissed.

(S. Pujahari)
Judge

PKS