

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1925 of 2022

Brajabandhu Mallick & another ***Petitioners***
State of Odisha ***Opposite Party***
-versus-

CORAM: JUSTICE S.PUJAHARI

ORDER
21.07.2022

Order No.

01. 1.This matter is taken up through Hybrid mode.
- 2.Heard learned counsel for the Petitioners and learned counsel for the State.
- 3.This application under Section 482 of Cr.P.C. has been filed by the Petitioners with a prayer to quash the order dated 21.06.2022 passed by the S.D.J.M., Jagatsinghpur in G.R. Case No.1130 of 2015 wherein N.B.W. (A) has been issued against them.
4. It appears that the Petitioners, who have been indicated in the aforesaid case, were on bail, but when they did not appear before the court below and no step was taken on their behalf on the date fixed, N.B.W.(A) has been issued against the Petitioners vide order dated 21.06.2022. However, the Petitioners have come forward to challenge the same, but during the course of hearing, it is submitted by the learned counsel for the Petitioners that the Petitioners are now ready and willing to surrender before the trial

court and cooperate with the trial and as such, the trial court may be directed to release them on bail on the same terms and conditions as imposed at the time of bail.

5. Considering the facts and the submissions made, especially the fact that the Petitioners are ready and willing to surrender to custody of the Court and cooperate with the trial, this CRLMC stands disposed of with an observation that if the Petitioners appear before the trial court within four weeks hence and make a motion for bail in the aforesaid case, the court in seisin over the matter shall allow them to go on earlier bail bond and surety and if the same has been cancelled, the Petitioners may be directed to furnish fresh bail bonds with similar terms and conditions as earlier imposed along with a condition they shall cooperate with the trial.

6. 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 Petitioners shall not be arrested pursuant to the N.B.W.(A) issued.

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

(S. Pujahari)
Judge

PKS