

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1928 of 2022

Basanta @ Asmanta Sabapati and others ***Petitioners***

-versus-

State of Odisha ***Opposite Party***

CORAM: JUSTICE S. PUJAHARI

ORDER
28.06.2022

Order
No.

01. 1. This matter is taken up through hybrid mode.
2. Heard the learned counsel for the Petitioners and the 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 1st December, 2021 passed by the learned Sessions Judge, Gajapati at Parlakhemundi in S.T. No.10 of 2020 wherein N.B.W.(A) has been issued against them.
4. Considering the facts and submissions made, I am not inclined to quash the impugned order. However, it is open to the Petitioners to surrender before the Court in seisin over the matter within four weeks hence and if they surrender and move for bail, the Court in seisin over the matter shall allow them to

go on bail on such terms and conditions including the condition that they shall cooperate with the trial.

5. Till the aforesaid date, i.e., either the date of surrender 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.

6. It is made clear that in spite of this order, if the Petitioners after their release again make default in appearance, in the next coercive steps to be taken, this fact also be reflected by the trial court.

7. It is also made clear that failure on the part of the Petitioners to surrender and move for bail before the trial Court within the time stipulated, there is no impediment on the part of the trial Court to execute the N.B.W.(A) against the Petitioners.

8. With the aforesaid order, this CRLMC stands disposed of.

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

(S. Pujahari)
Judge

DA