

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1933 of 2022

Titu Jena @ Titu Kumar Jena and
others

Petitioners

Mr. P.C. Jena, Advocate

-Versus-

State of Odisha

.... Opposite Parties

Mr. S.S. Mohapatra, ASC

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
25.08.2022

Order
No.

01. 1. Heard learned counsel for the petitioners and learned counsel for the State.
2. Present petition challenges the impugned order i.e. Annexure-1 whereby the learned court below issued NBWs against the petitioners on 21st May, 2022 in connection with Special Case No.29/50 of 2018 arising out of Jaleswar P.S. Case No.53 of 2018 pending in the file of learned Special Judge (SC/ST), Balasore on the grounds stated therein.
3. Perused the FIR i.e. Annexure-1.
4. Learned counsel for the petitioners submits that the petitioners were on bail but after the charge was framed during the stage of trial on a single date defaulted in appearance, for which, NBWs were issued i.e. on 21st May, 2022 and therefore, the order may be recalled which is objected to by learned counsel for the State.

5. The Court does not find any reason to interfere with the impugned order as rightly the learned court below issued warrants of arrest due to the default of the petitioners.

6. However, the considering the fact that the petitioners were on bail the Court is of the view that they should be directed to surrender and go on bail.

7. Accordingly, it is ordered.

8. In the result, the CRLMC stands allowed with a direction to the petitioners to surrender before the court of learned Special Judge (SC/ST), Balasore in connection with Special Case No.29/50 of 2018 arising out of Jaleswar P.S. Case No.53 of 2018 on or before 15th September, 2022 and in the event of their surrender, the Court shall release them on bail with conditions as deemed just and proper in the facts and circumstances of the case.

(R.K. Pattanaik)
Judge