

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1942 of 2022

Gajendra Prasad Das and another *Petitioners*
-versus-
State of Odisha *Opposite Party*

CORAM: JUSTICE S. PUJAHARI

ORDER

22.07.2022

Order
No.

01. 1. This matter is taken up through hybrid mode.
2. This application under Section 482 of Cr.P.C. has been filed by the Petitioners with a prayer to quash the order dated 5th December, 2017 passed by the learned Additional Special Judge, Vigilance, Bhubaneswar in T.R. Case No.38 of 2013 wherein N.B.W.(A) has been issued against them.
3. Heard the learned counsel for the Petitioners and the learned counsel for the State-Opposite Party.
4. It appears that the Petitioners being facing trial in a case under the Prevention of Corruption Act when did not appear before the trial court and no step was taken on their behalf on the date fixed, N.B.W.(A) has been issued against them vide the aforesaid order to procure their attendance. However, the Petitioners have challenged the same in this petition.

5. Since I see no illegality and infirmity in the impugned order, the prayer made in this petition challenging the same is devoid of merit.

6. Accordingly, the CRLMC stands dismissed.

7. However, as it is submitted by the learned counsel for the Petitioners that the Petitioners would surrender and move for bail before the court in seisin over the matter, it is open to the Petitioners to do so within four weeks hence and in that event, the court in seisin over the matter shall consider and dispose of their bail petition in course of the day taking all the attending circumstances including the circumstance whether due to such conduct of the Petitioners caused delay in disposal of the case.

(S. Pujahari)
Judge

DA