

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 1955 of 2022

Dillip Kumar Thakur

....

Petitioner

Mr. Krushna Ch.Dash, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr.P.K.Rout, AGA

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

05.09.2022

Order No.

- 01.
1. Heard learned counsel for the petitioner and learned counsel for the State.
 2. Instant petition under Section 482 Cr.P.C. is filed assailing the impugned order i.e. Annexure-1 whereby the learned court below issued a NBWA against him in connection with G.R.924(A)/2016 pending before the court of learned SDJM, Bolangir on the grounds stated therein.
 3. Perused the impugned order dated 5th December, 2017 which is at Annexure-1 and also the copy of the lookout notice which is at Annexure-3.
 4. Learned counsel for the petitioner submits that after the impugned order was passed in 2017, the petitioner had approached this Court in ABLAPL No. 12459 of 2017 whereby he was directed to surrender before the court below in connection with G.R.Case No. 924(A)/2016 within four weeks to move for bail and to be released on such terms and conditions but the said order could not be given effect

to due to a communication gap and in the meantime, the lookout notice i.e. Anneuxre-3 was issued by the local police.

5. The copy of the order dated 28th June, 2018 in ABLAPL No. 12459 of 2017 is at Anneuxre-2 and the same is perused wherein the Court directed surrender of the petitioner within a stipulated time but as submitted by the learned counsel appearing for him, the said order could not be given effect to for the reason stated.

6. Considering the above facts, the Court is of the view that the petitioner should once again be provided an opportunity to surrender before the court below and to go on bail with subject to conditions. However, the Court does not find any error committed by the learned court below while issuing NBWA against the petitioner.

7. Accordingly, it is ordered.

8. In the result, the CRLMC stands disposed of with a direction to the petitioner to surrender on or before 22nd September, 2022 before the court of learned SDJM, Bolangir in G.R. Case No. 924(A)/2016 arising out of Bolangir P.S. Case No. 267 of 2016 and in the event of his surrender, the court shall release him on bail subject to conditions.

9. An urgent certified copy of this order be issued as per rules.

(R.K. Pattanaik)
Judge