

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1964 of 2022

Aruna Behera

.... **Petitioner**
Mr. S.K. Nayak, Advocate

-Versus-

State of Orissa

.... **Opposite Party**
Mr. Pradip Kumar Rout, AGA

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
05.09.2022

Order No.

01.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The instant petition under Section 482 Cr.P.C. has been filed by the petitioner praying for quashing of the order of NBW dated 4TH March, 2006 passed by the learned J.M.F.C., Pattamundai in G.R. Case No.755 of 2000 on the grounds stated therein.
3. Perused the copy of the FIR as at Annexure-1 and the impugned order i.e. Annexure-2.
4. Learned counsel for the petitioner submits that petitioner was on bail since 2003 but then, when the case was posted to 4th March, 2006, he was found absent, as a result of which, the court below issued the non-bailable warrant of arrest against him and posted the matter to 1st June, 2006 for his production. It is further submitted that the absence of the petitioner was unintentional. However, the Court does not find any illegality or error having been committed by the court below so as to warrant any interference as the petitioner did not appear on the date fixed. However, the Court is of the view that the petitioner should be

allowed to surrender and go on bail subject to the terms and conditions fixed by the trial court, which would serve the purpose. Accordingly, it is ordered.

5. Consequently, the petitioner is directed to surrender before the court below on or before 15th September, 2022 in G.R. Case No.755 of 2000 pending in the court of learned J.M.F.C., Pattamundai and move for bail and in such an event, he shall be released on bail with conditions as deemed fit and proper by the court below.

6. The CRLMC application stands disposed of.

(R.K. Pattanaik)
Judge



U.K.Sahoo