

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1984 of 2022

Hapus @ Hakim Khan

....

Petitioner

-versus-

State of Odisha

....

Opposite Party

CORAM: JUSTICE S.PUJAHARI

ORDER
28.07.2022

Order No.

- 01.
1. This matter is taken up through Hybrid mode.
 2. The petitioner in this application seeks for quashment of the order dated 06.07.2022 passed by the learned 2nd Addl. Sessions Judge-cum-Special Judge, Khurda in T.R. No.116 of 2021 issuing N.B.W.(A) against him.
 3. Heard learned counsel for the Petitioner and learned counsel for the State.
 4. Considering the fact and submission, this Court finds as no steps having been taken on behalf of the Petitioner for adducing evidence, NBW(A) has been issued against him. This Court accordingly directs the Petitioner to appear before the court below within four weeks hence and make a mention in the court below, he shall be released on bail provisionally for a month on such terms and conditions as deemed just and proper.

Till the date of surrender or expiry of four weeks from today, there shall be stay execution of the NBW(A). If the Petitioner cooperates the trial Court in framing the charge, the said provisional order be made absolute and N.B.W.(A) issued be recalled. However, if the Petitioner does not cooperate during framing of the charge by remaining present, then the aforesaid order of provisional bail shall not be made absolute and direction be issued to execute the NBW(A) issued against him.

5. With the above direction, the CRLMC stands disposed of.
6. Issue urgent certified copy as per rules.

(S. Pujahari)
Judge

Uks

