

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 2073 of 2022

Sanjay Kumar Jena

....

Petitioner

Mr. Rama Chandra Jena, Advocate

-Versus-

State of Orissa and another

....

Opposite Parties

Mr. T.K. Praharaj, SC, OP No.1

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
09.09.2022

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. has been filed by the petitioner assailing the impugned order of NBW dated 26th September, 2016 passed by the learned C.J.M.-cum-A.S.J., Balasore in S.T. No.67(A)/152 of 2013 on the grounds stated therein.
3. Perused the copy of the FIR at Annexure-2 and copy of the impugned order which is at Annexure-1.
4. Learned counsel for the petitioner submits that the non-bailable warrant of arrest was issued by the court below at the stage of pronouncement of judgment which has been kept in a sealed cover and prior to that, he was on bail during the trial, considering which, a direction may be issued to allow him surrender and go on bail with any terms and conditions as would be deemed just and proper in the facts and circumstances of the case.

5. Having regard to the facts and submissions of the parties, the Court is of the view that petitioner should be directed to surrender before the learned court below and go on bail as the case is pending on the verge of disposal in view of the fact that the judgment has been kept in a sealed cover though the Court does not find any illegality or infirmity in the impugned order dated 26th September, 2016, which therefore, calls for no interference. Accordingly, it is ordered.

6. In the result, the CRLMC stands disposed of.

7. Consequently, the petitioner is directed to surrender before learned C.J.M.-cum-A.S.J., Balasore on or before 27th September, 2022 in connection with S.T. No.67(A)/152 of 2013 and in such an event, he shall be released on bail with conditions as would be deemed fit and proper.

8. Issue urgent certified copy of this order as per rules.

(R.K. Pattanaik)
Judge