

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2106 of 2022

Sanatan Barik

....

Petitioner

Mr. S. S. Dash, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr. S.S. Mohapatra, ASC

CORAM:

MR. JUSTICE R.K. PATTANAİK

Order
No.

01.

ORDER
09.09.2022

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. Learned counsel for the petitioner allowed to carry out the necessary correction as prayed for.
3. Instant petition under Section 482 Cr.P.C. is filed by the petitioner for quashing of the issuance of NBW dated 9th July, 2019 directed by the learned J.M.F.C., Jagatsinghpur on the grounds stated therein.
4. Perused the impugned order dated 9th July 2019 i.e. Annexure-1.
5. Learned counsel for the petitioner submits that the petitioner was on bail from 31.08.2015 but on the date fixed, he could not appear and no step was either taken on his behalf by the engaged counsel, for which, the court below issued NBW against him fixing on 19.10.2019 for production and as the warrant is still pending execution, appropriate order may be passed.

6. The Court does not find any wrong or error committed by the learned court below while issuing NBW on account of default of the petitioner but then having regard to the fact that he was on bail, the Court is of the view that the petitioner should be allowed to surrender and go on bail with conditions.

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 27th September, 2022 before the learned J.M.F.C., Jagatsinghpur in G.R. Case No.823 of 2004 and in the event of his surrender, the court shall release him on bail with conditions as deemed just and proper in the facts and circumstances of the case.

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

(R.K. Pattanaik)
Judge

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