

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2155 of 2022

Chinmaya Majhi

....

Petitioner

Mr. S. Bahadur, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr. T.K. Praharaj, SC

CORAM:

MR. JUSTICE R.K. PATTANAİK

Order
No.

01.

ORDER
08.09.2022

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. Instant petition under Section 482 Cr.P.C. is filed by the petitioner for quashing of the issuance of NBW dated 20th April, 2022 directed by the learned Additional District Judge, Rairakhol on the grounds stated therein.
3. Perused the impugned order dated 20th April, 2022 i.e. Annexure-1.
4. Learned counsel for the petitioner submits that the petitioner was on bail 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 18.05.2022 for production and as the warrant is still pending execution, appropriate order may be passed.
5. The Court does not find any wrong or error having been 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 at this juncture the petitioner should be allowed to surrender and go on bail with conditions.

6. Accordingly, it is ordered.

7. In the result, the CRLMC stands disposed of with a direction to the petitioner to surrender before the learned Additional District Judge, Rairakhol on or before 26th September, 2022 in connection with T.R. Case No.6 of 2020 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.

(R.K. Pattanaik)
Judge

Tudu

