

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2188 of 2022

Sujay Singh

....

Petitioner

Mr.Pramod Kumar Jena, Advocate

-Versus-

State of Orissa

....

Opposite Party

Mr. Tapas Kumar Praharaj, SC

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 NBWA dated 11th April, 2022 passed by the learned Sessions Judge, Balasore in S.T. Case No.241 of 2019 arising out of Balasore Town P.S. Case No.149(2) of 2019 on the grounds stated therein.

3. Perused the impugned order as at Annexure-1, copy of the FIR i.e. Annexure-2 and the charge-sheet, which is at Annexure-3.

4. Learned counsel for the petitioner submits that petitioner was on bail from 22nd July, 2019 but when the case was posted to 11th April, 2022, 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 19th May, 2022 for his production. Learned counsel for the petitioner submits that the absence 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

for which the impugned order was passed. 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. Accordingly, it is ordered.

5. The petitioner is directed to surrender before the court below on or before 21st September, 2022 in S.T. Case No.241 of 2019 arising out of Balasore Town P.S. Case No.149(2) of 2019 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.

U.K.Sahoo

