

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2191 of 2022

Bidyut Bhusan Kar

....

Petitioner

Mr. M.R.Mohapatra, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr.S.S.Mohapatra, ASC

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
05.09.2022

Order No.

- 01.
1. Heard learned counsel for the petitioner and learned counsel for the State.
 2. The present petition is filed against the order of issuance of NBW/A vis-à-vis the petitioner in connection with G.R. Case No. 560 of 2002 arising out of Khurda P.S. Case No. 209 of 2002 pending before the learned court of Civil Judge(Jr.Divn.)-cum-J.M.F.C., Khurda on the grounds stated therein.
 3. Perused the impugned order which is at Annexure-1.
 4. Learned counsel for the petitioner submits that the petitioner was on bail but by the impugned order dated 1st August, 2016, NBW/A was issued by the learned court below. Learned counsel for the State submits that the petitioner since failed to appear before the court, therefore, the impugned order under Annxure-1 was rightly passed.

5. Having gone through the impugned order of issuing NBW/A, the Court does not find any error or legal infirmity in the impugned order dated 1st August, 2016 therein, inasmuch as, the learned court below correctly passed the order since the petitioner defaulted himself on the date fixed. However, having regard to the contentions, the Court is of the view that the petitioner should be directed to surrender and released on bail subject to conditions imposed by the court below.

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 court of Civil Judge(Jr.Divn.)-cum-J.M.F.C., Khurda on or before 22nd September, 2022 in connection with G.R Case No. 560 of 2002 arising out of Khurda P.S. Case No. 209 of 2002 and in the event of his surrender, the court shall release him on bail with conditions.

8. An urgent certified copy of this order be issued as per rules.

(R.K. Pattanaik)
Judge