

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2209 of 2022

Uttam Mohapatra @ Chandan

....

Petitioner

M/s. S. Panda, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr. S.S. Mohapatra, ASC

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. is filed by the petitioner for quashing of the issuance of NBW dated 22<sup>nd</sup> June, 2022 of the learned S.D.J.M., Bhubaneswar on the grounds stated therein.

3. Perused the impugned order dated 22<sup>nd</sup> June, 2022 i.e. Annexure-1.

4. Learned counsel for the petitioner submits that the petitioner was on bail dated 29.07.2019 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 16.09.2022 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 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 in the facts and circumstances of the case, 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 S.D.J.M., Bhubaneswar on or before 27<sup>th</sup> September, 2022 in connection with C.T. Case No.2535 of 2019 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.

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

(R.K. Pattanaik)  
Judge

Tudu

