

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2240 of 2022

Balaram Panda

.... **Petitioner**
Mr. T.K.Mishra, Advocate

-Versus-

State of Odisha

.... **Opposite Party**
Mr.S.S.Mohapatra, ASC

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
05.09.2022

Order No.

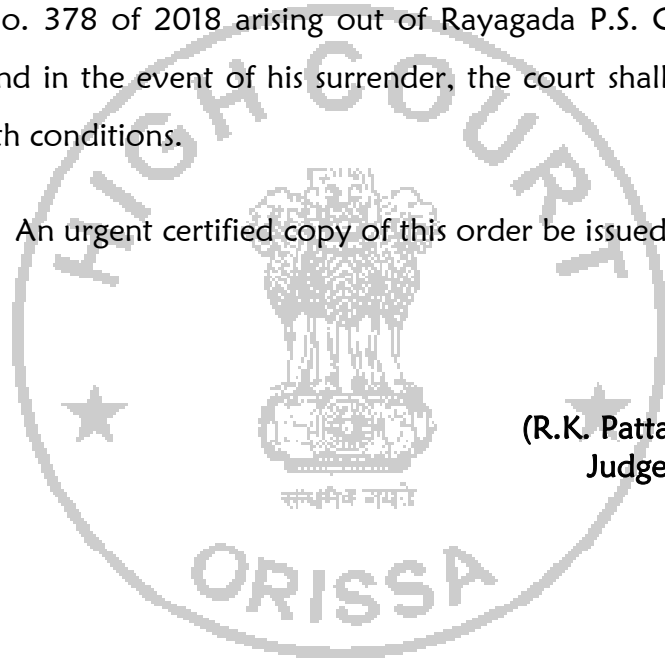
- 01.
1. Heard learned counsel for the petitioner and learned counsel for the State.
 2. The challenge is as to the order of issuance of NBW/A vis-à-vis the petitioner in connection with G.R. Case No. 378 of 2018 arising out of Rayagada P.S. Case No. 167 of 2018 pending before the learned court of S.D.J.M., Rayagada on the grounds stated therein.
 3. Learned counsel for the petitioner submits that the petitioner was on bail but by the impugned order dated 9th March, 2022 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-2 was rightly passed.
 4. Having gone through the impugned order of issuing NBW/A, the Court does not find any error or legal infirmity therein, inasmuch as, the learned court below correctly passed the order since the

petitioner defaulted in appearance on the date fixed. However, having regard to the contentions and facts on record, 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.

5. Accordingly, it is ordered.

6. In the result, the CRLMC stands disposed of with a direction to the petitioner to surrender before the learned court of S.D.J.M., Rayagada on or before 22nd September, 2022 in connection with G.R. Case No. 378 of 2018 arising out of Rayagada P.S. Case No. 167 of 2018 and in the event of his surrender, the court shall release him on bail with conditions.

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



(R.K. Pattanaik)
Judge