

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2258 of 2022

Jagan Dehury and another

....

Petitioners

Mr. Pradeep Kumar Panda, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr. T.K. Praharaj, S.C.

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

07.09.2022

Order No.

01.

1. Heard learned counsel for the petitioners and learned Standing Counsel for the State.
2. Instant petition under Section 482 Cr.P.C. has been filed by the petitioners praying for quashing of the order of NBW dated 13th July, 2022 passed by the learned Sessions Judge, Angul in C.T.(S) No.12 of 2021 arising out of Angul PS Case No.28 of 2021 on the grounds stated therein.
3. Perused the copy of the impugned order dated 13th July, 2022 which is at Annexure-1.
4. Learned counsel for the petitioners submits that petitioners were on bail on 5th March, 2021 but then when the case was posted to 13th July, 2022, they were found absent, as a result of which, the court below issued the non-bailable warrants of arrest against them and posted the matter to 29th August, 2022 for their production. It is further submitted that the absence of the petitioners 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 petitioners did not appear on the date fixed. But the Court is of the view that the petitioners should be allowed to surrender and go on bail subject to the terms and conditions fixed by the trial court which would serve the purpose. Accordingly, it is ordered.

5. Consequently, the petitioners are directed to surrender before the court below on or before 26th September, 2022 in C.T.(S) No.12 of 2021 arising out of Angul P,S Case No.28 of 2021 pending in the court of learned Sessions Judge, Angul and move for bail and in such an event, they shall be released on bail with conditions as deemed fit and proper in the facts and circumstances of the case.

6. The CRLMC stands disposed of.

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

(R.K. Pattanaik)
Judge

U.K. Sahoo