

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2308 of 2022

Dusmanta Patra and others

....

Petitioners

Mr. J. Sahu, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr. S.K. Mishra, ASC

CORAM:

MR. JUSTICE R.K. PATTANAİK

Order
No.

01.

ORDER
13.09.2022

1. Heard learned counsel for the petitioners and learned counsel for the State.
2. Instant petition under Section 482 Cr.P.C. is filed by the petitioners for quashing of the issuance of NBWs dated 18th November, 2021 and 8th August, 2022 directed by the court of learned J.M.F.C., S.Rampur on the grounds stated therein.
3. Perused the impugned order dated 18th November, 2021 and 8th August, 2022 i.e. Annexure-2.
4. Learned counsel for the petitioners submits that the petitioners were on bail but on the dates fixed, they could not appear and no step was either taken on their behalf by the engaged counsel, for which, the court below issued NBWs against them fixing on 30.09.2022 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 being committed by the learned court below while issuing NBWs on account of default of the petitioners but then having regard to the

fact that they were on bail, the Court is of the view that at this juncture the petitioners 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 petitioners to surrender before the court of learned J.M.F.C., S.Rampur on or before 30th September, 2022 in G.R. Case No.98 of 2021 and in the event of their surrender, the court shall release them on bail with conditions as deemed just and proper in the facts and circumstances of the case.

(R.K. Pattanaik)
Judge

Tudu

