

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2318 of 2022

Nidhi @ Nidhia Mallik and another

Petitioners

Mr. D. Mishra, Advocate

-Versus-

State of Odisha

.... Opposite Party

Mr. T.K. Praharaj, SC

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
12.09.2022

Order
No.

01. 1. Heard learned counsel for the petitioners and learned counsel for the State.
2. Instant petition under Section 482 Cr.P.C. is filed assailing the impugned order under Annexure-2 whereby the learned court below issued NBWAs against the petitioners in connection with G.R. Case No.172 of 2010 pending in the file of learned J.M.F.C., Anandapur on the grounds stated therein.
3. Perused the impugned order dated 24th February, 2022.
4. The learned counsel for the petitioners submits that the petitioners were on bail but only on a single date of default, the NBWAs were issued which is therefore to be recalled. But, the Court finds that on account of non-appearance of the petitioners on the date fixed, the warrants have been issued. Therefore, the Court does not find any error or illegality being committed by the learned court

below in issuing NBWAs as the petitioners had defaulted. But since it is claimed to be a single default, the Court is of view that the petitioners should be directed to surrender and go on bail.

5. Accordingly, it is ordered.

6. In the result, the CRLMC stands disposed of with a direction to the petitioners to surrender before the learned J.M.F.C., Anandapur on or before 27th September, 2022 in G.R. Case No.172 of 2010 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.

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

(R.K. Pattanaik)
Judge

TUDU

