

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2319 of 2022

Lukindar Munda

.... **Petitioner**
Mr. D. Mishra, Advocate

-Versus-

State of Odisha

.... **Opposite Party**
Mr. T.K. Praharaj, SC

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
12.09.2022

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 25th June, 2022 directed by the learned J.M.F.C. Barbil on the grounds stated therein.
3. Perused the impugned order dated 25th June, 2022 as at Annexure-1 series.
4. Learned counsel for the petitioner submits that the petitioner was on bail 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 the case to 23.09.2022 for his production and considering the same, appropriate order may be passed.

5. The Court does not find any wrong or error being 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, it 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 J.M.F.C. Barbil on or before 27th September, 2022 in 2(a) CC Case No.84 of 2022 and in the event of his surrender, the court shall release him on bail with conditions as deemed just and proper.

(R.K. Pattanaik)
Judge

Tudu