

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2349 of 2022

Damu Khora

....
Mr.Arijeet Mishra, Advocate

Petitioner

-Versus-

State of Odisha

....
Mr. T.K. Praharaj, SC

Opposite Party

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
07.09.2022

Order No.

01.

1. Heard learned counsel for the petitioner and learned Standing Counsel for State.
2. Instant petition under Section 482 Cr.P.C. has been filed by the petitioner praying for quashing of the order of NBWA dated 22nd June, 2022 passed by the learned Ad-hoc Additional Sessions Judge-cum-Special Judge (FTSC), Jeypore in T.R. Case No.65 of 2019 arising out of Damanjodi P.S. Case No.77 of 2019 on the grounds stated therein.
3. Perused the copy of the FIR as at Annexure-1 and the impugned order dated 22nd June, 2022 which is at Annexure-3.
4. Learned counsel for the petitioner submits that the petitioner was on bail but then when the case was posted to 22nd June, 2022, he did not turn up on repeated calls and no step was taken by the conducting counsel, as a result of which, the court below issued the non-bailable warrant of arrest against him and

posted the matter to 28th July, 2022 for his production. It is further submitted that the absence of the petitioner 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 petitioner did not appear on the date fixed. But the Court is of the view that the petitioner 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 petitioner is directed to surrender before the court below on or before 26th September, 2022 in T.R. Case No.65 of 2019 arising out of Damanjodi P.S. Case No.77 of 2019 pending in the file of learned Ad-hoc Additional Sessions Judge-cum-Special Judge (FTSC), Jeypore and in such an event, he shall be released on bail with conditions as deemed fit and proper.

6. The CRLMC stands disposed of.

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

U.K. Sahoo

(R.K. Pattanaik)
Judge