

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2457 of 2022

Gobinda Ch. Dash @ gobinda Dash
and others

....

Petitioners

Mr. B. Das, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr. S.S. Mohapatra, ASC

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

09.09.2022

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 by the petitioners for quashing of the issuance of NBWs dated 23rd November, 2021 directed by the learned Additional Sessions Judge, Gunpur on the grounds stated therein.

3. Perused the impugned order dated 23rd November, 2021 i.e. Annexure-2.

4. Learned counsel for the petitioners submits that the petitioners were on bail but on the date 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 26.01.2022 for production and as the warrants are 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 in the facts and circumstances of the case, 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 learned Additional Sessions Judge, Gunpur on or before 28th September, 2022 in connection with C.T. Case No.87 of 2015 and in the event of their surrender, the court shall release them on bail with conditions as deemed just and proper.

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

(R.K. Pattanaik)
Judge

Tudu