

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2470 of 2022

Ananda Barik and Another

....
Petitioners
Mr. B.K. Behera, Advocate

-Versus-

State of Odisha

....
Opposite Party
Mr. P.K. Rout, AGA

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
15.09.2022

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 NBWAs dated 24th August, 2022 directed by the court of learned Additional Sessions Judge, Bhubaneswar on the grounds stated therein.
3. Perused the impugned order dated 24th August, 2022 i.e. Annexure-1.
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 NBWAs against them fixing the case to 27.09.2022 for 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 NBWAs on account of default of the petitioners but then having regard to the fact that they were on bail, it 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, Bhubaneswar on or before 30th September, 2022 in T.R. Case No.286 of 2019 and in the event of their surrender, the court shall release them on bail with conditions as deemed just and proper.

(R.K. Pattanaik)
Judge

Tudu