

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 2502 of 2022

Narottama Digal and Another

....
Mr. B.P. Pradhan, Advocate

Petitioners

-Versus-

State of Odisha

....
Mr. Tapas Kumar Praharaj, SC

Opposite Party

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
04.11.2022

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 challenging the order dated 10th January, 2022 passed by the learned Sessions Judge-cum-Special Judge, Boudh in Special Case (NDPS) No.37 of 2018 arising out of Purunakatak P.S. Case No.47 of 2018 for having issued non-bailable warrants of arrest against the petitioners on the grounds stated therein.
 3. Perused the FIR as at Annexure-1 and copy of the impugned order which is at Annexure-2.
 4. It is submitted by the learned counsel for the petitioners that the petitioners were on bail earlier but they failed to turn up on the date fixed, whereafter, the order of NBWA has been issued.

5. Considering the submissions of the learned counsel for the parties and having regard to the fact that petitioners did not turn up at the time of call, learned court below took coercive action against them and hence, the impugned order under Annexure-2 cannot be said to have suffered from any legal infirmity. However, at this juncture, in the facts and circumstances of the case, the Court is also of the view that the petitioners should be directed to surrender before the court below and released 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 Sessions Judge-cum-Special Judge, Boudh on or before 23rd November, 2022 in Special Case (NDPS) No.37 of 2018 arising out of Purunakatak P.S. Case No.47 of 2018 and move for bail and in such an event, they shall be released on bail with conditions as deem fit and proper by the court below.

8. The CRLMC stands disposed of accordingly.

(R.K. Pattanaik)
Judge

U.K. Sahoo