

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2512 of 2022

Srikara Jena and Others

.... Petitioners

Mr. P.S. Das, Advocate

-Versus-

State of Odisha and Another

.... Opposite Parties

Mr. S.S. Mohapatra, ASC

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

24.09.2022

Order
No.

01.

1 Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.

2. Instant petition under Section 482 Cr.P.C. is filed assailing the impugned order under Annexure-1 whereby the learned court below issued NBWAs against the petitioners in connection with G.R. Case No.27 of 2007 pending in the file of learned J.M.F.C., Kodala on the grounds stated therein.

3. Perused the impugned order dated 8th August, 2022.

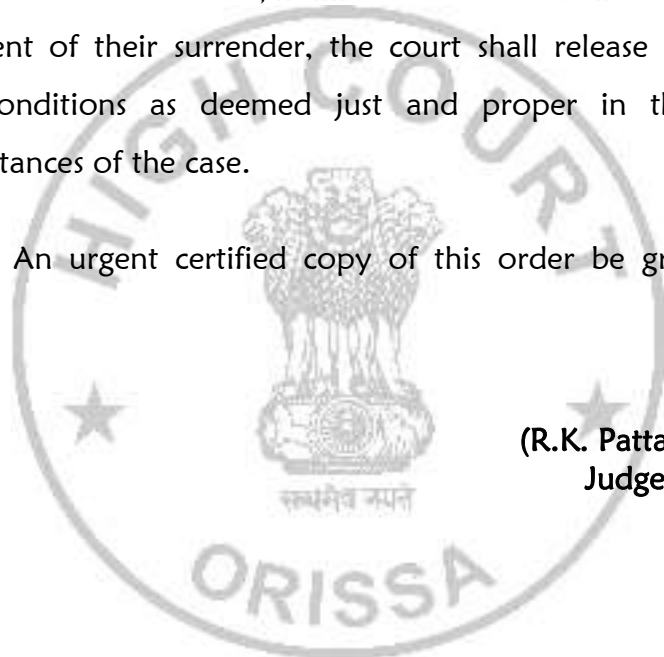
4. The learned counsel for the petitioner submits that the petitioners were on bail from 25.09.2008 but only on a single date of default, the NBWAs were issued which is therefore to be recalled. But, the Court finds that on account of non-appearance of the petitioners on the date fixed, the warrants have been issued. Therefore, the Court does not find any error or illegality being

committed by the learned court below in issuing NBWAs as the petitioners have defaulted. But, since it is claimed to be a single default, the Court is of view that the petitioners should be directed to surrender and go on bail.

5. Accordingly, it is ordered.

6. In the result, the CRLMC stands disposed of with a direction to the petitioners to surrender before the learned J.M.F.C., Kodala on or before 14th October, 2022 in G.R. Case No.27 of 2007 and in the event of their surrender, the court shall release them on bail with conditions as deemed just and proper in the facts and circumstances of the case.

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



(R.K. Pattanaik)
Judge