

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 2516 of 2022

Dreams Darubrahma Entertainment
Pvt. Ltd.

....

Petitioner

Mr. Sarada Prasad Das, Advocate

-Versus-

State of Odisha and another

....

Opposite Parties

Mr. P.K. Rout, AGA, OP No.1

None for OP No.2

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
24.09.2022

Order No.

01.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. Instant petition under Section 482 Cr.P.C. is filed by the petitioner praying for quashing of the order of NBWA dated 25th August, 2022 passed by the learned J.M.F.C., Bhubaneswar in ICC Case No.367 of 2012 on the grounds stated therein.
3. Perused the copy of the impugned order dated 25th August, 2022 as at Annexure-1.
4. Learned counsel for the petitioner submits that the petitioner was on bail but subsequently, NBWA has been issued against him on 25th August, 2022 since he defaulted in appearance and since he could not also inform his conducting counsel, as a result of which, the impugned order was passed and considering the fact that he was on previous bail, the petitioner should be directed to surrender and allowed to go on bail with conditions.

5. The Court perused the order dated 25th August, 2022 but does not find any illegality being committed by the learned court below. In fact, the petitioner failed to turn up and on account of his default learned court below rightly issued the NBWA against him. However, at this juncture, the Court is of the view that in the facts and circumstances of the case, the petitioner should be directed to surrender before the court below and released on bail with conditions which instead would serve the purpose.

6. Accordingly, it is ordered.

7. In the result, the CRLMC stands disposed of with a direction to the petitioner to surrender before the court of learned J.M.F.C., Bhubaneswar on or before 14th October, 2022 in ICC Case No.367 of 2012 and in the event of his surrender, the court below shall release him on bail subject to conditions.

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

(R.K. Pattanaik)
Judge