

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2597 of 2022

Laxmidhar Nayak

....

Petitioner

Mr. S.K.Samantaray, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr.P.K.Rout, AGA

**CORAM:
MR. JUSTICE R.K. PATTANAİK**

**ORDER
30.09.2022**

Order No.

- 01.
1. Heard learned counsel for the petitioner and learned counsel for the State.
 2. The present petition is filed against the order of issuance of NBWA vis-à-vis the petitioner in connection with G.R. Case No. 97 of 2020 arising out of Nirakarpur P.S. Case No. 30 of 2020 pending before the learned court of NGN-Cum-J.M.F.C., Tangi on the grounds stated therein.
 3. Learned counsel for the petitioner submits that the petitioner was on bail by order of learned A.S.J., Khurda in BLAPL No. 275 of 2022 vide order dated 06.06.2022 but it was an interim relief and he was required to surrender on or before 20th June, 2022 but did not do so and it was on account of a communication lapse with his engaged counsel.

4. The Court does not find any error or legal infirmity in the impugned order dated 20th June, 2022, inasmuch as, the learned court below rightly passed the order since the petitioner defaulted on the date fixed. However, in the facts and circumstances of the case, the petitioner should be directed to surrender and released on bail subject to conditions imposed by the court below.

5. Accordingly, it is ordered.

6. In the result, the CRLMC stands disposed of with a direction to the petitioner to surrender before the learned court of NGN-Cum-J.M.F.C., Tangi on or before 21st October, 2022 in G.R. Case No. 97 of 2020 arising out of Nirakarpur P.S. Case No. 30 of 2020 and in the event of his surrender, the court shall release him on bail with conditions.

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

(R.K. Pattanaik)
Judge