

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2603 of 2022

Sabita Prusty

....
Mr. S,N, Mishra, Advocate

Petitioner

-Versus-

State of Odisha

....
Mr. T.K. Praharaj, SC

Opposite Party

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
29.09.2022

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 for quashing of the issuance of NBWA dated 6th April, 2022 directed by the court of learned S.D.J.M.,Puri on the grounds stated therein.
3. Perused the impugned order dated 6th April, 2022 as at Annexure-1.
4. Learned counsel for the petitioner submits that the petitioner was on bail but on the date fixed, she could not appear and no step was either taken on her behalf by the engaged counsel, for which, the court below issued NBWA against her fixing the case to 20.05.2022 for her production and considering the same, appropriate order may be passed.

5. Though the Court does not find any wrong or error being committed by the learned court below while issuing NBWA on account of default of the petitioner but then having regard to the fact that she was on bail, it is of the view that in the facts and circumstances of the case, the petitioner 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 petitioner to surrender before the learned S.D.J.M., Puri on or before 20th October, 2022 in G.R. Case No.1910 of 2020 and in the event she surrenders, the court shall release her on bail with conditions as deemed just and proper.

(R.K. Pattanaik)
Judge

Tudu