

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2626 of 2022

Rina Behera

....

Petitioner

Mr. N.Biswal, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr. T.K.Praharaj,SC

**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. The present petition is filed under Section 482 Cr.P.C. against the order of issuance of NBWA vis-à-vis the petitioner in connection with S.T.Case No. 36 of 204 of 2022/2018 arising out of Fategarh P.S. Case No. 94 of 2018 corresponding to G.R. Case No. 185 of 2018 pending before the court of learned Adhoc Additional Sessions Judge (FTSC), Nayagarh on the grounds stated therein.
 3. It is submitted by the learned counsel for the petitioner that the petitioner was on police bail but after submission of chargesheet, the learned court below has issued NBWA against her.
 4. The Court does not find any error or legal infirmity in the impugned order dated 6th July, 2022, inasmuch as, the learned court

below rightly passed the order since the petitioner defaulted in appearance on the date fixed. However, in the facts and circumstances of the case, the Court is of the opinion that 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 court of learned Adhoc Additional Sessions Judge (FTSC), Nayagarh on or before 20th October, 2022 in connection with S.T.Case No. 36 of 204 of 2022/2018 arising out of Fategarh P.S. Case No. 94 of 2018 corresponding to G.R. Case No. 185 of 2018 and in the event she surrenders, the court below shall release her on bail with conditions.

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

(R.K. Pattanaik)
Judge