

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2632 of 2022

Sk.Ayub@ Sk.Ayub Hussain & Others Petitioners
Mr. Niranjan Singh1, Advocate

-Versus-

State of Odisha & Another Opposite Party
Mr. S.S.Mohapatra, Advocate

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
29.09.2022

Order No.

01. 1. Heard learned counsel for the petitioners and learned counsel for the State.
2. Instant petition under Section 482 of Cr.P.C. is filed by the petitioners assailing the order of cognizance dated 19th December, 2017 under Annexure-2 passed by the learned SDJM, Rairangpur in I.C.C. Case No. 25 of 2008 on the grounds stated therein.
3. It is submitted that the complaint is filed by opposite party No.2, whereupon, the learned court below proceeded and took cognizance of the alleged offences and issued summons, however, they could not appear in response to summons later to which under Annexure-2, the NBWAs were issued, which is still pending execution.
4. Considering the above submission, the nature of offences alleged and the fact that initially summons were issued and later on, the coercive action was taken by the learned court below, according

to the Court, the petitioners should be directed to surrender and released on bail.

5. Accordingly, it is ordered.

6. In view of the above, CRLMC stands disposed of with a direction to the petitioners to surrender before the learned court of SDJM, Rairangpur on or before 20th October, 2022 in connection with I.C.C. Case No. 25 of 2008 and in the event of their surrender, the court shall release them on bail subject to conditions.

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

(R.K. Pattanaik)
Judge

