

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 2633 of 2022

Krushna Chandra Biswal

....

Petitioner

Mr. Subash Chandra Mohanty, Advocate

-Versus-

State of Orissa

....

Opposite Party

Mr. Pradip Ku. Rout, AGA

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. has been filed by the petitioner challenging the issuance of NBWA dated 12th July, 2022 passed by the learned ADJ-cum-Special Court under POCSO Act, Cuttack in G.R. Case No.53 of 2014 arising out of Mahanga P.S. Case No.139(3) of 2014 on the grounds stated therein.
3. Perused the certified copy of impugned order dated 12th July, 2022 as at Annexure-1.
4. As it appears from the impugned order 12th July, 2022, NBWA was issued against the petitioner due to absence before the learned court below at the stage of argument. It is submitted by learned counsel for the petitioner that some time was prayed for filing of the written note of argument but such request was rejected

and thereafter, order of NBWA was issued by the learned Special Court POCSO Act, Cuttack.

5. In view of the peculiar facts and circumstances of the case, while disposing of the CLMC, the Court direct the petitioner to surrender before the learned ADJ-cum-Special Court under POCSO Act, Cuttack on or before 20th October, 2022 in G.R. Case No.53 of 2014 arising out of Mahanga P.S. Case No.139(3) of 2014 and in the event of his surrender, the court below shall release him on bail subject to conditions.

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

(R.K. Pattanaik)
Judge

U.K.Sahoo

