

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 2750 of 2022

Madan @ Madana Nayak

....
Mr. Prahallada Sahu, Advocate

Petitioner

-Versus-

State of Odisha

....
Mr. Tapas Praharaj, SC

Opposite Party

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
21.10.2022

Order No.

- 01.
1. Heard learned counsel for the petitioner and learned counsel for the State.
 2. The instant petition under Section 482 Cr.P.C. has been filed by the petitioner challenging the order dated 5th March, 2021 passed by the learned Additional Sessions Judge, Balliguda in S.T. Case No.21 of 2018 on the grounds stated therein.
 3. Perused the impugned order under Annexure-1, whereby, the learned court below issued the NBWA against the petitioner due to default which is absolutely justified and therefore, calls for no interference. However, learned counsel for the petitioner submits that the petitioner was on bail but due to his default which is unintentional, the order has been passed.

4. Having regard to the above submissions of learned counsel for the parties, the Court is inclined to direct the petitioner to surrender and move for bail. Accordingly, it is ordered.

5. The petitioner is directed to surrender before the court below on or before 4th November, 2022 in S.T. Case No.21 of 2018 and move for bail and in such an event, he shall be released on bail with conditions as deemed fit and proper by the court below.

6. The CRLMC application stands disposed of.

(R.K. Pattanaik)
Judge

Basudev

