

IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.2775 of 2022

Rajua @ Rajkishore Mallik

Petitioner

Mr.P.S.Nayak, Advocate

Versus

State of Odisha

Opposite Party

Mr.D.Nayak, AGA

CORAM:
JUSTICE SAVITRI RATHO

ORDER

10.11.2022

(Through hybrid mode)

Order No.

01.

1. This application under Section 482 of Cr.P.C. has been filed by the petitioner challenging the impugned order dated 06.04.2022 passed by the learned S.D.J.M., Jajpur in C.T. Case No.478 of 2020 arising out of Binjharpur P.S. Case No.154 of 2022 issuing N.B.W. of arrest against him.

2. Mr. P.S.Nayak, learned counsel for the petitioner submits that the petitioner and Nakula Mallik had been released on bail pursuant to order dated 23.03.2022 passed in BLAPL No.166 of 2022 by the learned Sessions Judge, Jajpur in a case which had has been originally registered under Sections 342/427/392/171-F of IPC read with Section 29 of the O.G.P. Act. He further submits that while releasing the petitioner on bail, one of the conditions was that the petitioner shall personally appear before the Court on all the dates. The petitioner was released on bail on 23.3.2022 and the next date had

been fixed to 6.4.2022, but due to communication gap with his counsel the petitioner was not aware about the next date for which he could not remain present in the Court himself. However, no explanation has been given as to why his counsel did not take any step on his behalf.

3. Although I find no infirmity in the impugned order dated 06.04.2022 passed by the learned S.D.J.M., Jajpur in C.T. Case No.478 of 2022, but taking a sympathetic view, as it is stated to be his first default, it is directed that if the petitioner surrenders in the Court of the learned S.D.J.M., Jajpur on or before 01.12.2022 and files an application for bail, he shall be released on such terms and conditions as deemed fit and proper by the learned S.D.J.M. including the conditions earlier imposed by the learned District and Sessions Judge, Jajpur.

4. With the aforesaid observations and direction, the CRLMC is disposed of.

5. Urgent certified copy of this order be granted as per rules.

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(Savitri Ratho)
Judge

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