

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2776 of 2022

Chana @ Chaina @ Trilochan Mallick **Petitioner**
Mr. Manas Ku.Chand, Advocate
Mr. R.R.Mishra, Advocate and Mr. A.Sahoo, Advocate

-Versus-

State of Odisha **Opposite Party**
Mr. S.S.Mohapatra, ASC

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
29.09.2022

Order No.

- 01.
1. Heard learned counsel for the parties.
 2. The present petition is filed against the order of issuance of NBWA vis-à-vis the petitioner in connection with S.T. Case No. 116 of 2018 arising out of Nikirei P.S. Case No. 150 of 2017 pending before the learned court of Adhoc Additional Sessions Judge, FTSC, Kendrapara on the grounds stated therein.
 3. Perused the impugned order which is at Annexure-1.
 4. Learned counsel for the petitioner submits that an application under Section 317 Cr.P.C was filed and it was at the stage of defense evidence, but the learned court below did not entertain the same and rejected it and thereafter, issued NBWA against the petitioner which is pending execution.

5. Considering the above submission, the facts and circumstances of the case, the Court is of the view that in order to expedite and completion of trial, the petitioner should be directed to surrender before the court below and released on bail with conditions.

6. Accordingly, it is ordered.

7. In the result, the CRLMC stands disposed of with a direction to the petitioner to surrender before the learned court of Adhoc Additional Sessions Judge, FTSC, Kendrapara on or before 20th October, 2022 in connection with S.T. Case No. 116 of 2018 arising out of Nikirei P.S. Case No. 150 of 2017 and in the event of his surrender, the court shall release him on bail with conditions and also to expedite the trial.

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

(R.K. Pattanaik)
Judge