

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 2874 of 2022

Nabin @ Narendra Guru

....

Petitioner

Mahes Das, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr. Tapas Kumar Praharaj, SC

**CORAM:
MR. JUSTICE R.K. PATTANAİK**

**ORDER
01.11.2022**

Order No.

- 01.
1. Though the matter was not in the list, on being mentioned, the same is taken up on board after special notice.
 2. Heard learned counsel for the petitioner and learned counsel for the State.
 3. Instant petition under Section 482 Cr.P.C. is filed by the petitioner challenging the order dated 6th September, 2022 passed by the learned S.D.J.M., Balliguda in C.T. Case No.273A of 2019 arising out of Balliguda P.S. Case No.100 of 2019 for having issued the non-bailable warrant of arrest against the petitioner on the grounds stated therein.
 4. Perused the FIR at Annexure-1 and copy of the impugned order under Annexure-3, whereby, learned court below issued NBWA against the petitioner due to his 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 the default and as the conducting counsel did not take any step, the order has been passed.

5. 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.

6. The petitioner is directed to surrender before the learned S.D.J.M., Balliguda on or before 18th November, 2022 in C.T. Case No.273A of 2019 arising out of Balliguda P.S. Case No.100 of 2019 and move for bail and in such an event, he shall be released on bail with conditions as deem fit and proper by the court below.

7. The CRLMC application stands disposed of.

(R.K. Pattanaik)
Judge

Basudev

