

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2918 of 2022

Santosh Sahu

....
Mr. S.P. Das, Advocate

Petitioner

-Versus-

State of Odisha

....
Mr. S. Mishra, ASC

Opposite Party

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
26.10.2022

Order
No.

01.

1. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
2. Learned counsel for the petitioner submits that there is need of a correction as to the name of the court, where the case is currently pending and prays for carrying it out in the Court, which is allowed.
3. Instant petition under Section 482 Cr.P.C. is filed by the petitioner for quashing of the issuance of NBWA dated 3rd August, 2022 directed by the court of learned Assistant Sessions Judge, Chatrapur on the grounds stated therein.
4. Perused the impugned order dated 3rd August, 2022 as at Annexure-1.
5. Learned counsel for the petitioner submits that the petitioner was on bail but on the date fixed, he could not appear

and no step was either taken on his behalf by the engaged counsel, for which, the court below issued NBWA against him fixing the case to 17.09.2022 for his production and considering the same, appropriate order may be passed.

6. Though the Court does not find any wrong or error being committed by the learned court below while issuing NBWA on account of default of the petitioner but then having regard to the fact that he was on bail, it is of the view that in the facts and circumstances of the case, he should be allowed to surrender and go on bail with conditions.

7. Accordingly, it is ordered.

8. In the result, the CRLMC stands disposed of with a direction to the petitioner to surrender before the learned Assistant Sessions Judge, Chatrapur on or before 10th November, 2022 in S.T. Case No.117 of 2018 and in the event of his surrender, the court shall release him on bail with conditions as deem just and proper.

9. An urgent certified copy of this order be granted as per rules.

(R.K. Pattanaik)
Judge