

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 2936 of 2022

Jalandhar Das @ Jalandra and others Petitioners
Mr. Sarat Kumar Jena, Advocate

-Versus-

State of Odisha Opposite Party
Mr. Sidharth Shankar Mohapatra, ASC

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
31.10.2022

Order No.

01. 1. Heard learned counsel for the petitioners and learned counsel for the State.
2. Instant petition under Section 482 Cr.P.C. has been filed by the petitioners challenging the order dated 12th July, 2022 passed by the learned Additional Sessions Judge, Khallikote, Ganjam in S.T. No.166 of 2016 (S.T. No.78 of 2019) corresponding to G.R. Case No.536 of 2015 arising out of Kodala P.S. Case No.276 of 2015 for having issued non-bailable warrants of arrest against them on the grounds stated therein.
3. Perused the impugned order as at Annexure-1.
4. It is submitted by the learned counsel for the petitioners that the petitioners were on bail by the orders in BLAPL Nos.6847 and 8479 of 2017 but they failed to turn up and therefore, the NBWAs have been issued.

5. Considering the submissions of the learned counsel for the parties and having regard to the fact that petitioners failed to appear on the date fixed for which the learned court below took coercive action against them which is justified and hence, the conclusion is that the impugned order under Annexure-1 does not suffer from any legal infirmity. However, at this juncture, in the facts and circumstances of the case, the Court is also of the view that the petitioners 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 petitioners to surrender before the learned Additional Sessions Judge, Khallikote, Ganjam on or before 11th November, 2022 in S.T. No.166 of 2016 (S.T. No.78 of 2019) corresponding to G.R. Case No.536 of 2015 arising out of Kodala P.S. Case No.276 of 2015 and in the event they surrender, the court below shall release them on bail with conditions as deem fit in the facts and circumstances of the case.

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

(R.K. Pattanaik)
Judge