

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 2985 of 2022

Prabhudatta Patra

.... **Petitioner**
Mr. Amitav Tripathy, Advocate

-Versus-

State of Odisha

.... **Opposite Party**
Mr. Pradip Kumar Rout, AGA

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
21.10.2022

Order No.

- 01.
1. Heard learned counsel for the petitioner and learned counsel for the State.
 2. The instant petition under Section 482 Cr.P.C. has been filed by the petitioner challenging the order dated 29th August, 2022 passed by the learned Adhoc Additional Sessions Judge (F.T.S.C), Nayagarh in T.R. Case No.43/41 of 2021/2018 arising out of Nayagarh P.S. Case No.64 of 2018 for having issued the non-bailable warrant of arrest against the petitioner on the grounds stated therein.
 3. Perused the impugned order under Annexure-1, 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 at the stage of trial he could not appear the learned court below, as a result of which, non-bailable warrant was issued and therefore, he should be directed to surrender and allowed to go on bail.

4. Having regard to the above submissions of learned counsel for the parties, the Court is inclined to allow the petitioner to surrender and move for bail. Accordingly, it is ordered.

5. The petitioner is directed to surrender before the court below on or before 10th November, 2022 in T.R. Case No.43/41 of 2021/2018 arising out of Nayagarh P.S. Case No.64 of 2018 and apply for bail and in such an event, he shall be released on bail with conditions as deem fit and proper by the court below.

6. The CRLMC application stands disposed of.

(R.K. Pattanaik)
Judge

Basudev

