

IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No. 3175 of 2022

1. Binapani Dash
2. Pramod Kumar Dash
3. Prafulla Kumar Dash
4. Sashikanta Dash
5. Jagabandhu Dash @ Prabira
Kumar Dash

....

Petitioners
Mr. B.K. Behera I, Adv

Versus

State of Odisha

....

Opposite Party
Mrs. S. Pattanaik,
AGA

CORAM:

JUSTICE SAVITRI RATHO

ORDER

11.11.2022

(Through hybrid mode)

Order No.

01.

1. This application under Section 482 Cr.P.C. has been filed challenging the order dated 17.08.2022 passed by the learned SDJM, Jajpur in C.T. Case No. 320 of 2019, arising out of Binjharpur P.S. Case No. 66 of 2019 issuing NBW of arrest against all the accused persons which includes the five petitioners, for their non-appearance on that date.

2. Mr. Behera, learned counsel for the petitioners submits that pursuant to the order dated 16.09.2021 passed in ABLAPL No. 14565 of 2019 by this Court, the petitioners have been released on bail on 08.10.2021. But due to communication gap they were unaware about the next date in the case which was 22.07.2022 for which they could not remain present in court nor any steps were taken on their behalf.

3. I do not find any illegality in the order dated 22.07.2022. But as learned counsel for the petitioner submits that this is the first default of the petitioners and the co-accused against whom NBW had been issued and has in the meanwhile been arrested and released on bail, the petitioners are permitted to surrender before the learned trial court and file an application for releasing them on bail. If such an application is filed on or before 02.12.2022, the learned trial court shall do well to release them on bail on such terms and conditions as deemed just and proper by it.

4. The CRLMC is accordingly disposed of.

5. Urgent certified copy of this order be granted on proper application.

Sangram

