

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPCRL No.136 of 2022

Swadesh Routray & Others

.....

Petitioners
Mr. A. Biswal, Adv.

-Versus-

State of Odisha & ors

.....

Opp. Parties
Ms. S. Pattnaik, AGA

CORAM:

JUSTICE S. TALAPATRA

JUSTICE SAVITRI RATHO

ORDER

31.10.2022

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
 2. Heard Mr. A. Biswal, learned counsel appearing for the petitioners and also heard Ms. S. Pattnaik, learned Addl. Government Advocate appearing for the State.
 3. It has been alleged in this writ petition that for the so-called lawyers strike which commenced since 21.10.2022, the bail bond for release of the petitioners could not be furnished for acceptance by the NGN-cum-JMFC, Tangi.
 4. On scrutiny of the records, it appears that one bail order is concerned with the present writ petition. The order dated 26.10.2022 delivered in BLAPL No.589 of 2022 by the 1st Addl. Sessions Judge arose out of G.R. Case No.536 of 2022, corresponding to Tangi P.S. Case No.561 of 2022, which is pending in the Court of learned NGN-cum-JMFC, Tangi. The said order is concerned with the three

petitioners namely, Swadesh Routray, Gobinda Chandra Routray and Snehasis Parida who are the accused and whose details are available in the order itself. By the said order dated 26.10.2022, certain conditions have been imposed while granting them bail.

5. Mr. Biswal, learned counsel, in the course of his submission, drew our attention to a notice dated 21.10.2022 (Annexure-2 to the writ petition). It transpires from the notice dated 21.10.2022 that Lawyers Bar Association, Tangi, Dist. Khordha has taken a decision in an emergency meeting held on 21.10.22 evening to boycott the Court of the Nayadhikari cum-J.M.F.C., Smt. Siona Sidharth Moharana from 22.10.2022 until they get justice from the said Judicial Magistrate.

6. Mr. Biswal, learned counsel has informed us till today the said boycotting is continuing. As a result it has become impossible to go and furnish the bail bond for purpose of release of the petitioners.

7. Ms. S. Pattnaik, learned Addl. Government Advocate has submitted that such situation is unprecedented. Be that as it may, the liberty of the persons who have been granted bail cannot be truncated in this fashion. In the circumstances, we are of the considered view that the 1st Addl. Sessions Judge, Khordha, by the authority of this order, shall examine and accept the bail bonds that will be submitted by the accused persons as named above, in terms of the said order as referred above and on acceptance, he will straightway direct the jail authority to release the accused persons.

8. This writ petition stands allowed, in terms of the above and disposed of.

9. A copy of this order be supplied forthwith to Mr. A. Biswal, learned counsel for the petitioner.

10. Registry is directed to send one copy of this order forthwith to the Court of 1st Addl. Sessions Judge, Khordha for compliance by e-mail.

(S. Talapatra)
Judge

(Savitri Ratho)
Judge

Rati Ranjan

