

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 3286 of 2022

Sonu @ Bharat Bhoi

....

Petitioner

Mr. Ramesh Chandra Maharana, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr. T.K. Praharaj, S.C.

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

16.11.2022

Order No.

- 01.
1. Heard learned counsel for the petitioner and learned counsel for the State.
 2. Instant petition under Section 482 Cr.P.C. is filed by the petitioner challenging the order dated 16th September, 2021 passed by the learned Additional District Judge, Salipur in S.T. No.14 of 2019 arising out of Nemalo P.S. Case No.81 of 2015 for having issued non-bailable warrant of arrest against him on the grounds stated therein.
 3. Perused the copy of the impugned order at Annexure-1.
 4. It is submitted by the learned counsel for the petitioner that petitioner was earlier on bail but he failed to turn up on the date fixed, whereafter, the order of NBWA has been issued.
 5. Considering the submissions of the learned counsel for the parties and having regard to the fact that petitioner did not turn up at the time of call, the learned court below took coercive action against him and hence, the impugned order under Annexure-1 cannot be said

to have suffered 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 petitioner 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 petitioner to surrender before the learned Additional District Judge, Salipur on 2nd December, 2022 in S.T. Case No.14 of 2019 arising out of Nemalo P.S. Case No.81 of 2015 and in the event he surrenders, the court below shall release him on bail with conditions keeping in view the facts and circumstances of the case.

8. Issue urgent certified copy of this order on proper application.

(R.K. Pattanaik)
Judge

U.K.Sahoo

