

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 3328 of 2022

Premjit Mohanty

....
Mr. Amiya Ranjan Swain, Advocate

Petitioner

-Versus-

State of Orissa

....
Mr. Tapas Kumar Praharaj, SC

Opposite Party

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
21.11.2022

Order No.

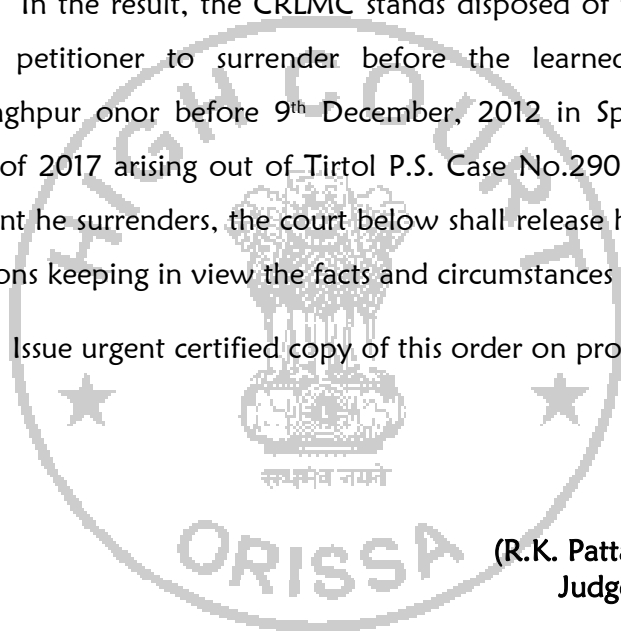
- 01.
1. Heard learned counsel for the petitioner and learned counsel for the State.
 2. Instant petition under Section 482 Cr.P.C. is filed by the petitioner challenging the order dated 22nd August, 2022 passed by the learned Judge (FTC), Jagatsinghpur in Special G.R. Case No.57 of 2017 arising out of Tirtol P.S. Case No.290 of 2017 on the grounds stated therein.
 3. Perused the copy of the order as at Annexure-1 and copy of the FIR which is at Annexure-2.
 4. It is submitted by the learned counsel for the petitioner that petitioner was earlier on bail pursuant to order of this Court passed in ABLAPL No.15285 of 2017 but he failed to turn up on the date fixed by the court below, whereafter, 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, 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 Judge (FTC), Jagatsinghpur on or before 9th December, 2012 in Special G.R. Case No.57 of 2017 arising out of Tirtol P.S. Case No.290 of 2017 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