

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.3526 of 2022

Sayad Moulana @ Sk. Saheed

....

Petitioner

Mr. B.K. Dash, Advocate

-Versus-

State of Orissa

....

Opposite Party

Mr. S. Mishra, ASC

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

08.12.2022

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 for quashing of the issuance of NBWA dated 16th July, 2015 directed by the court of learned S.D.J.M.(S), Cuttack on the grounds stated therein.

3. Perused the impugned order dated 16th July, 2022 as at Annexure-3.

4. It is submitted to the Court that the petitioner was granted anticipatory bail in ABLAPL No.2981 of 2015, a copy which is at Annexure-2 but then, thereafter chargesheet was filed whereupon the learned court below issued a non-bailable warrant of arrest dated 16th July, 2015 vide Annexure-3. In the above circumstances, considering the fact that the petitioner was allowed to be on anticipatory bail but he was not arrested by the local police and instead the chargesheet was filed, whereafter, the learned court below took coercive action against him, the Court is of the view

that he should be directed to surrender and go on bail with conditions.

5. Accordingly, it is ordered.

6. In the result, CRLMC stands disposed of with a direction to the petitioner to surrender before the learned S.D.J.M.(S), Cuttack in connection G.R. Case No.264(A) of 2015 corresponding to Cantonment P.S. Case No.17 of 2015 on or before 22nd December, 2022 and in the event of his surrender within the stipulated time, the court shall release him on bail subject to conditions.

7. Urgent certified copy of this order be granted as per rules,

(R.K. Pattanaik)
Judge

TUDU

