

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.3534 of 2022

Mama @ Mamata Dalei @ Majhi and Others Petitioners

Mr. P.K. Jena, Advocate

-Versus-

State of Odisha Opposite Party
Mr. S.S. Mohapatra, ASC

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
02.12.2022

Order
No.
01.

1. Heard learned counsel for the petitioners and learned counsel for the State.
2. Instant petition under Section 482 Cr.P.C. is filed assailing the impugned order under Annexure-2 whereby the learned court below issued NBWAs against the petitioners in connection with Special Case No.650 of 2016 pending in the file of learned Additional District and Sessions Judge, Balasore on the grounds stated therein.
3. Perused the impugned order dated 11th May, 2022.
4. The learned counsel for the petitioners submits that the petitioners were on bail but on the date fixed i.e. 11.05.2022, an application under Section 317(1) Cr.P.C. was rejected and thereafter, NBWAs were issued against them and in the facts and circumstances of the case, it is prayed that the petitioners should be directed to

surrender and allowed to go on bail. But, an objection is recorded from the side of the State on the ground that the offences under SC & ST (PoA) Act are involved.

5. In the facts and circumstances of the case, the Court though not inclined to interfere with the impugned order under Annexure-2 but is of the view that the petitioners should be allowed to surrender and released on bail. Accordingly, it is ordered.

6. In the result, the CRLMC stands disposed of with a direction to the petitioners to surrender before the learned Additional District and Sessions Judge, Balasore on or before 20th December, 2022 in Special Case No.650 of 2016 and in the event they surrender, the court shall release them on bail with conditions as deemed just and proper.

7. An urgent certified copy of this order be granted as per rules.

(R.K. Pattanaik)
Judge