

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.3619 of 2022

Dillip Kumar Gupta

.... Petitioner

Ms. B. Mishra, Advocate

-Versus-

State of Odisha

.... Opposite Party

Mr. S.S. Mohapatra, ASC

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

28.11.2022

Order
No.

01.

1. Heard learned counsel for the petitioner and learned counsel for the opposite party-State.

2. Ms. Mishra, learned counsel for the petitioner submits that the petitioner was on bail which was granted in the year 1991 but thereafter in 2018, the learned court below issued a non-bailable warrant of arrest against him which is pending execution since then. It is further submitted that considering the nature of offence which is alleged as the case is registered under Sections 406 and 411 IPC and for the fact that the petitioner was on bail for a quite long time till the warrant was issued in 2018, he should be directed to surrender and released on bail subject to any conditions which is opposed by Mr. Mohapatra, learned counsel for the State.

3. Recording the submission of Ms. Mishra and regard being had to the nature of offences, the Court is of the view that since the petitioner was bail by court's order in 1991 and thereafter, in 2018 non-bailable warrant of arrest was issued against him, he should be

allowed to go on bail after surrender which would serve the purpose and meet the ends of justice.

4. Accordingly, it is ordered.

5. 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 with G.R. Case No.495 of 1991 arising out Bidanasi P.S. Case No.31 of 1991 and in the event, he surrenders within the stipulated time and applies for release, the court below shall grant him on bail subject to conditions as deemed just and proper in the facts and circumstances of the case.

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

(R.K. Pattanaik)
Judge

