

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 3768 of 2022

Ramlal Naik

.... **Petitioner**
Mr. S.K. Bhanjadeo, Advocate

-Versus-

State of Orissa

.... **Opposite Party**
Mr. S.S. Mohapatra, ASC

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
12.12.2022

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 challenging the order dated 20th July, 2022 passed by the learned Senior Civil Judge-cum-Assistant Sessions Judge (Women's Court), Rayagada in C.T. Case No.27 of 2019 arising out of Doraguda P.S. Case No.6 of 2019 for having issued non-bailable warrant of arrest against the petitioner on the grounds stated therein.
 3. Perused the copy of the order at Annexure-1.
 4. It is submitted by the learned counsel for the petitioner that the 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 since the petitioner did not turn up at the time of call, learned court below rightly 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 Senior Civil Judge-cum- Assistant Sessions Judge (Women's Court), Rayagada on or before 23rd December, 2022 in connection with C.T. Case No.27 of 2019 arising out of Doraguda P.S. Case No.6 of 2019 and in the event he surrenders, the court below shall release him on bail with conditions.

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

(R.K. Pattanaik)
Judge