

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 3779 of 2022

Laxmipriya Mohanty

....
Mr. Sarada Prasad Dash, Advocate

Petitioner

-Versus-

State of Orissa

....
Mr. S.S. Mohapatra, ASC

Opposite Party

CORAM:
MR. JUSTICE R.K. PATTANAIK

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 5th August, 2022 passed by the learned J.M.F.C., Nimapara in G.R. Case No.234(A) of 2018 arising out of Kakatpur P.S. Case No.39 of 2018 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 she 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 petitioner did not turn up at the time of call, learned court below rightly took coercive action

against her 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 J.M.F.C., Nimapara on or before 23rd December, 2022 in G.R. Case No.234(A) of 2018 arising out of Kakatpur P.S. Case No.39 of 2018 and in the event she surrenders, the court below shall release her on bail with conditions as deem just and proper.

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

(R.K. Pattanaik)
Judge

U.K.Sahoo

