

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 3789 of 2022

Asutosh Pradhan

....
Mr. Rajalaxmi Biswal, Advocate

Petitioner

-Versus-

State of Orissa

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

Opposite Party

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
23.12.2022

Order No.

- 01.
1. Heard learned counsel for the respective parties.
 2. Instant petition under Section 482 Cr.P.C. is filed at the behest of the petitioner praying for quashing of the order of NBWA dated 30th March, 2022 passed by the learned S.D.J.M., Talcher in G.R. Case No.2102 of 2021 on the grounds stated therein.
 3. Perused the certified copy of the impugned order as at Annexure-2.
 4. It is submitted by the learned counsel for the petitioner that the petitioner was earlier on bail vide order dated 28th January, 2022 passed in ABLAPL No.164 of 2022 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 petitioner did not turn up at the time of call, learned court below took coercive action against him and hence, the impugned order under Annexure-2 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 S.D.J.M., Talcher on or before 13th January, 2023 in G.R. Case No.2102 of 2021 and in the event he surrenders within the time stipulated, the court below shall release him on bail with conditions as deem just and proper.

8. Issue urgent certified copy of this order as per rules.

(R.K. Pattanaik)
Judge

U.K.Sahoo

