

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.3795 of 2022

Bharat Chandra Kamila

....

Petitioner

Mr. S.K. Lenka, Advocate

-Versus-

State of Odisha

....

Opposite Party

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

12.12.2022

Order
No.

01.

1. Heard learned counsel for the petitioner. Learned counsel for the Vigilance Department is absent.

2. Instant petition under Section 482 Cr.P.C. is filed by the petitioner for quashing of the issuance of NBWA dated 11th November, 2022 directed by the court of learned Additional Special Judge (VIG), Bhubaneswar on the grounds stated therein.

3. Perused the impugned order dated 11th November, 2022 as at Annexure-2.

4. Learned counsel for the petitioner submits that the petitioner was on bail but on the date fixed, he failed to turn up which is evident from Annexure-2, whereafter, the learned court below issued NBWA against him.

5. The Court finds that at the stage of consideration of charge, the petitioner defaulted in appearance and for that the learned court below split up the case and proceeded to frame charge against the other accused persons on the same date. Having regard to the

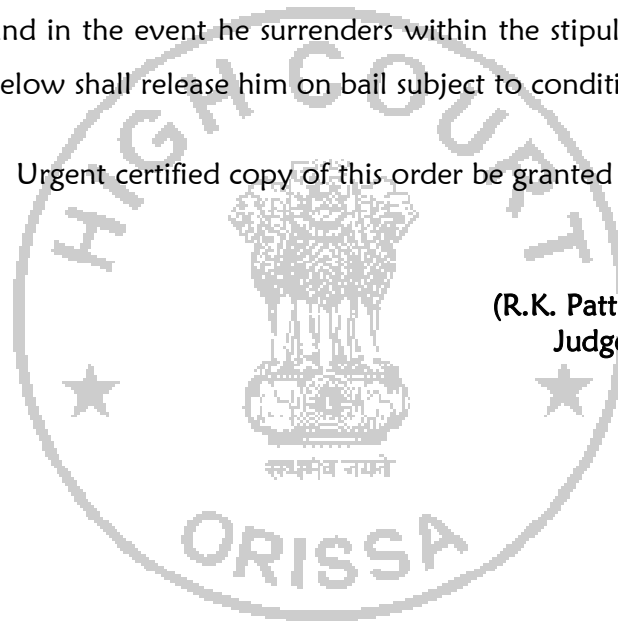
above facts and since the petitioner was on bail, the Court is of the view that in the facts and circumstances of the case, he should be directed to surrender before learned court below and released on bail subject to conditions.

6. Accordingly, it is ordered.

7. In the result, CRLMC stands disposed of with a direction to the petitioner to surrender before the learned Additional Special Judge (VIC), Bhubaneswar on or before 23rd December, 2022 in connection T.R. Case No.23 of 2011 arising out of VGR No.6 of 2008 and in the event he surrenders within the stipulated time, the court below shall release him on bail subject to conditions.

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

(R.K. Pattanaik)
Judge



TUDU