

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 3799 of 2022

Rakesh Kumar Kamble and Others Petitioners
Mr. Sushanta Kumar Joshi, Advocate

-Versus-

State of Odisha Opposite Party
Mr. S.S. Mohapatra, ASC

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
12.12.2022

Order No.

01. 1. Heard learned counsel for the petitioners and learned counsel for the State.
2. Instant petition under Section 482 Cr.P.C. is filed by the petitioners challenging the order dated 26th February, 2020 passed by the learned J.M.F.C., Nuapada in C.T. Case No.146 of 2013 arising out of Jonk P.S. Case No.36 of 2013 for having issued non-bailable warrants of arrest against the petitioners 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 petitioners that the petitioners were earlier on bail but they failed to turn up on the date fixed, whereafter, the order of NBWAs have been issued.
5. Considering the submissions of the learned counsel for the parties and having regard to the fact that petitioners did not turn up at

the time of call, learned court below took coercive action against them 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 petitioners 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 petitioners to surrender before the learned J.M.F.C., Nuapada on or before 23rd December, 2022 in C.T. Case No.146 of 2013 arising out of Jonk P.S. Case No.36 of 2013 and in the event they surrender, the court below shall release them 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

