

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2672 of 2021

Rahidul Biswas

....

Petitioner

Mr. Satyabrata Mohanty, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K. Gaya, ASC

**CORAM:
JUSTICE S.K. PANIGRAHI**

**ORDER
18.01.2022**

Order No.

01. 1. The matter is taken up through video conferencing mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner has filed this application to quash the order dated 02.01.2014 passed by the learned 1st Addl. District Judge, Cuttack in 2(a) CC No.73 of 2012 issuing N.B.W. against the petitioner.
4. Learned counsel for the petitioner submits that the petitioner was suffering from neurological disorder for which he was prevented from appearing in court for the last three years. For that reason, there was mis-communication between the lawyer and the petitioner, which led to long absence before the trial

court. Hence, the N.B.W. was issued against the petitioner on 02.01.2014.

5. Considering the aforesaid submissions and the facts of the case, this Court is inclined to allow the CRLMC. Accordingly, the order of issuance of N.B.W. against the petitioner on 02.01.2014 in 2(a) CC No.73 of 2012 is quashed.

6. The petitioner is directed to surrender before the court in seisin over the matter in the aforesaid case within a period of fifteen days hence. On such event, the said court shall release him on bail with conditions that:

6.1. petitioner shall execute fresh bail bond of Rs.20,000/- (rupees twenty thousand) with two solvent sureties each for the like amount to the satisfaction of the court in seisin over the matter.

6.2 he shall furnish proper proof of his identity and shall appear in person in court in seisin over the matter on each date.

7. Violation of the aforesaid conditions shall entail cancellation of the bail.

8. Accordingly, the CRLMC is disposed of.

9. As the restrictions due to resurgence of Covid-19 are continuing, learned counsel for the parties may utilize a print out of the order available in the High Court's website, at par

with certified copy, subject to attestation by the Advocate concerned with his/her seal, in the manner prescribed vide Court's Office Order dated 7th January, 2022.

(S.K. Panigrahi)
Judge

PCD

