IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 3997 of 2022

Soumya Ranjan Padhiary and Another .... Petitioners
Mr. A.K. Sarangi, Advocate

-Versus-

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

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
23.12.2022

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 11th October, 2022 passed by the learned S.D.J.M., Jajpur in C.T. Case No.351 of 2022 arising out of Jajpur Sadar P.S. Case No.62 of 2022 on the grounds stated therein.

3. Perused the certified copy of the impugned order as 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 S.D.J.M., Jajpur on or before 16th January, 2023 in C.T. Case No.351 of 2022 arising out of Jajpur Sadar P.S. Case No.62 of 2022 and in the event they surrender within the time stipulated, the court below shall release them 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