

IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.2810 of 2021

Ramesh Chandra Barad

.... **Petitioner**
Mr. D. P. Jena, Advocate

-versus-

State of Odisha

.... **Opposite Party**
Mr. Karunakar Gaya, ASC

CORAM:
JUSTICE S.K. PANIGRAHI

ORDER
24.01.2022

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 under Section 482 of the Cr.P.C. to quash the order dated 18.08.2021 passed by the learned P.O., Special Court, Cuttack in S.T. Case No.73 of 2016 issuing N.B.W. against him.
4. Learned counsel for the petitioner submits that the petitioner was granted bail vide order dated 19.08.2014 in BLAPL No.1457 of 2014 and the trial was going on before the Special Court. He further submits that due to communication gap between the petitioner and his conducting counsel, the N.B.W. was issued against the petitioner on 18.08.2021.
5. Considering the aforesaid facts, the petitioner is directed to surrender before the court in seisin over the matter within a period of ten days. Upon his surrender, the court in seisin over

the matter shall consider for releasing him on bail with some stringent conditions so as to ensure his presence before the court on each date of posting of the trial. In addition, the petitioner shall deposit a sum of Rs.1,000/- (rupees one thousand only) as cost for non-compliance of the court's order. The said amount shall be deposited before the High Court Bar Associations Welfare Fund and copy of the said deposit shall be presented before the court in seisin over the matter.

6. Accordingly, the CRLMC is disposed of. The order of issuance of N.B.W. against the petitioner on 18.08.2021 in S.T. Case No.73 of 2016 is hereby quashed.

7. 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