

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2962 of 2021

Hemanta Majhi

....

Petitioner

Mr. S. Panda, 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 30.10.2018 passed by the learned Addl. Sessions Judge, Dharmgarh in C.T. Case No.29 of 2017 rejecting his application under Section 317 of the Cr.P.C. and issuing N.B.W. against him.
4. It is seen from the record that the petitioner was granted bail by the court of Addl. Sessions Judge, Dharmgarh in C.T. Case No.29 of 2017 on 16.09.2016 with the conditions that he shall cooperate with the investigation as and when required. The

learned Addl. Sessions Judge also mentioned in the said order that the petitioner shall appear before the concerned police station on each Sunday once till completion of the trial of the case. In such circumstances, petitioner has grossly violated the conditions fixed by the court and has failed to cooperate with the trial of the case. Hence, the N.B.W. was issued against him on 30.10.2018.

5. Considering the aforesaid facts of the case, the CRLMC is rejected.

6. However, 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 and move for bail. On such event, the bail petition shall be considered and disposed of in accordance with law.

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