

**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**CRLMC No.2973 of 2021**

*Madhia @ Madhab Bisoi and Anr. .... Petitioners*

*Mr. Jayadeba Behera, Adv.*

-versus-

*State of Odisha*

*.... Opposite Party*

*Mr. Karunakar Gaya, ASC*

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

**ORDER**  
**20.01.2022**

**Order No.**

01.      1. This matter is taken up through Video Conferencing mode.
2. Heard learned counsel for the Petitioners and learned counsel for the State.
3. The petitioners have filed this CRLMC assailing the order dated 18.12.2019 passed by the learned J.M.F.C., Banpur in G.R. Case No.365 of 2017, arising out of Banpur P.S. Case No.243 of 2017, issuing N.B.W. against them.
4. Learned counsel for the Petitioners submits that the petitioners are on bail. They were regularly attending the court on each date of posting of the case. However, on 18.12.2019, the petitioners could not remain present in court due to communication gap between them and their conducting counsel. Hence, the learned J.M.F.C., Banpur issued N.B.W. against them. He further submits that the petitioners undertake that they will cooperate till the end of the trial and appear before the court on each date of posting without fail, failing which, fresh N.B.W. shall be issued against them.
5. In view of such facts and submissions made by the learned counsel for the Petitioners, this Court is inclined to allow the

CRLMC. Accordingly, the order dated 18.12.2019 passed by the learned J.M.F.C., Banpur in the aforesaid case, so far it relates to issuance of N.B.W. against the petitioners, is hereby quashed.

6. The petitioners are directed to surrender before the court in *seisin* over the matter in the aforesaid case and move for bail within a period of fifteen days hence. On such event, the said court shall release them on bail with some stringent conditions so as to enable them to appear before the court on each date of posting of the case. In addition, the petitioners shall deposit a sum of Rs.500/- (rupees five hundred only) each as cost for violating the court's order. The said amount shall be deposited with the High Court Bar Association Welfare Fund and copy of the receipt of the said deposit shall be presented before the court in *seisin* over the matter.

7. Accordingly, the CRLMC is disposed of.

8. As the restrictions due to resurgence of Covid-19 are continuing, learned counsel for the parties may utilize a printout 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 Notice No.4587 dated 25<sup>th</sup> March, 2020 and Court's Office Order dated 7<sup>th</sup> January, 2022.

**( S.K. Panigrahi )**  
**Judge**