

(2022) 05 OHC CK 0079
In the Orissa High Court
Case No : CRLMC No.596 of 2022

Kalia @ Hemraj Harpal

APPELLANT

Vs

State Of Odisha

RESPONDENT

Date of Decision : 12-05-2022

Acts Referred:

Indian Penal Code, 1860 — Section 395

Citation : (2022) 05 OHC CK 0079

Hon'ble Judges : B. P. Routray, J

Bench : Single Bench

Advocate : Subrata Panda, P.K. Mohanty

Final Decision : Disposed Of

Judgement

B. P. Routray, J

1. Heard Mr. S. Panda, learned counsel for the Petitioner and Mr. P.K. Mohanty, learned Additional Standing Counsel for Opposite Party – State.

2. It is submitted on behalf of Petitioner that he was earlier released on bail on 18th January, 2021 by the learned J.M.F.C., Junagarh in C.T. Case No.260 of 2020 as per order of this Court passed in BLAPL No.9463 of 2020. The alleged offence is under Section 395 of I.P.C. The case was committed to the court of Sessions and registered as C.T. No.98 of 2021 (Sessions). Subsequently, due to non-appearance of the Petitioner for the reason of communication gap, NBW of arrest was issued against him vide order dated 20th December, 2021.

3. Thus considering the limited nature of prayer and after hearing learned counsel for the State, in the interest of justice, the CRLMC is disposed of with a direction that in the event the Petitioner surrenders on or before 6th June, 2022 before the learned court below and moves for bail, he be released on bail in the aforesaid case on such terms and conditions to be fixed by the learned court below in seisin over the matter including the condition that he shall attend the court on each date fixed.

4. It is made clear that failing to surrender within the time stipulated above, this order shall not be given effect to.

5. The CRLMC is disposed of.

6. An urgent certified copy of this order be issued as per rules.

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