

02. 31.01.2019

Heard the learned counsel for the petitioner and the learned counsel for the State.

This application under Section 482 of Cr.P.C. has been filed by the petitioner with a prayer to quash the order dated 06.02.2018 passed by the learned 1st A.D.J. Court, Cuttack in 2(a) CC No.06 of 2017 issuing N.B.W.(A) against him.

It appears that the petitioner, who has been indicted in the aforesaid case, was on bail, but when he did not appear before the Court below and no step was taken on his behalf on the date fixed, N.B.W.(A) has been issued against him vide order dated 06.02.2018. However, the petitioner have come forward to challenge the same, but during course of hearing, it is submitted by the learned counsel for the petitioner that the petitioner is ready and willing to surrender before the trial Court and cooperate with the trial and, as such, the learned trial Court may be directed to release him on bail on any terms and conditions as it may deem just and proper.

Considering the aforesaid facts and submissions made, especially the fact that the petitioner is ready and willing to surrender to custody of the Court and cooperate with the trial, this CRLMC stands disposed of with an observation that if the petitioner appears before the trial Court within a period of four weeks hence and make a motion for bail in the aforesaid case, the Court in seisin over the matter shall allow him to go on bail on such terms and conditions as it may think just and proper along with a

condition that he shall cooperate with the trial subject to the verification of the fact that the petitioner was on bail.

Till the aforesaid date, i.e., either the date of appearance before the trial Court or on expiry of four weeks, whichever is earlier, the petitioner shall not be arrested pursuant to the N.B.W.(A) issued.

Urgent certified copy of this order be granted on proper application.

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S.Pujahari, J.

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