



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.301 of 2026

Hemanta Swain & Anr. *Petitioner(s)*
Mr. Mrutyunjay Mohanty,
T.K. Sahoo, R. Mishra, P. Mohanty, Adv.

-versus-

State of Odisha *Opposite Party(s)*
Smt. Sarita Moharana, ASC

CORAM:

HON'BLE DR.JUSTICE SANJEEB K PANIGRAHI

Order
No.

ORDER
23.02.2026

03. 1. This matter is taken up through hybrid arrangement.
2. The Petitioners have filed this CRLMC assailing the order of NBW dated 28.03.2023 issued by the learned J.M.F.C, Niali in G.R. Case No.667 of 2001 arising out of Niali P.S. Case No.131 of 2001, against them.
3. Heard.
4. Learned counsel for the Petitioners submits that the Petitioners have been on bail vide order dated 21.06.2002. They were regularly attending the court on each date of posting of the case. However, on 28.03.2023, the Petitioners could not remain present in court due to noncommunication by the conducting Counsel. Hence, the learned Court in *seisin* over the matter issued the order of N.B.W. against them. He further submits that the



Petitioners undertake to cooperate till the end of the trial and appear before the learned court below on each date of posting of the case without fail.

5. In view of such facts and submissions made by the learned counsel for the Petitioners, this Court is inclined to allow the present CRLMC. Accordingly, the order of N.B.W issued to the Petitioners on 28.03.2023 by the learned Court below in the aforesaid case is, hereby, quashed.

6. The Petitioners are directed to surrender before the learned court in *seisin* over the matter in the aforesaid case and move for bail within a period of fifteen working days hence. In such event, the said court shall release them on bail with some stringent conditions.

7. Accordingly, this CRLMC is disposed of.

(Dr. Sanjeeb K Panigrahi)
Judge