



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.900 of 2026

Manoj Swain

.....

Petitioner(s)

*Mr. Soubhagya Swain,
Advocate*

-Versus-

State of Odisha & Ors.

.....

Opposite Party (s)

Ms. Gayatri Patra, ASC

CORAM:

DR. JUSTICE SANJEEB K PANIGRAHI

ORDER

25.03.2026

Order No.

01.

1. This matter is taken up through hybrid arrangement.
2. Heard learned counsel for the Petitioner and learned counsel for the State.
3. The petitioner has filed this CRLMC assailing the order dated 20.01.2026 passed by the learned Civil Judge (Junior Division) 2nd Court-cum-JMFC, Cuttack in connection with D.V Execution Case No.168 of 2023 issuing N.B.W(A) against him.
4. Learned counsel for the Petitioner submits that due to non-payment of the arrear maintenance of Rs.67,000/- till December, 2025, the Civil Judge (Junior Division) 2nd Court-cum-JMFC, Cuttack issued N.B.W (A) against him. He further submits that the Petitioner has paid Rs.35,000/- out of arrear amount of Rs.1,02,000/-. The learned



Trial Court has directed the petitioner to pay Rs.3,000/- per month as interim maintenance to the O.P No.2 during pendency of the DV Misc Case. The petitioner is a daily labour and in each date the petitioner has paid some of the amount and never disrespect order of the learned Trial Court. The marriage between the Petitioner and the Opposite Party No.2 has dissolved by decree of divorce dated 21.02.2025 by the learned Family Judge, Kendrapara in C.P No.189 of 2018.

5. Learned counsel for the State strongly object the release of the Petitioner on bail.

6. In view of such facts and submissions made by the learned counsel for the Petitioner, this Court is inclined to allow the CRLMC. Accordingly, the order dated 20.01.2026 passed by the learned Civil Judge (Junior Division) 2nd Court-cum-JMFC, Cuttack in the aforesaid case, so far it relates to issuance of N.B.W(A) against the petitioner, is hereby quashed subject to payment of Rs.30,000/- to the Opposite Party No.2 and rest of the amount shall be paid within a period of six months.

7. The Petitioner is 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 him on bail.



8. Accordingly, the CRLMC is disposed of.

(Dr. Sanjeeb K Panigrahi)
Judge

Gitanjali