

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.416 of 2017

Bhima @ Pranaballabha Samantara ***Appellant***

Mr. Manas Chand, *Advocate*

-versus-

State of Odisha ***Respondent***

*Mr. P.K. Mohanty,
Addl. Standing Counsel*

CORAM:

JUSTICE S.K. SAHOO

ORDER

30.09.2021

Order No.

18. This matter is taken up through Hybrid Arrangement (Video Conferencing/Physical Mode).

The appellant was directed to be released on interim bail as per order dated 29.07.2021 in I.A. No. 955 of 2020 and he was asked to surrender before the learned trial Court on 23.08.2021 and learned counsel for the appellant was also asked to file the surrender certificate of the appellant by the next date. Since no surrender certificate was filed, as per order dated 16.09.2021, a report was called for from the learned trial Court as to whether the appellant after availing the interim bail period has surrendered in the learned trial Court at right time or not and if he has not surrendered, what steps have been taken against the appellant.

In pursuance of such order, learned Addl. Sessions Judge -cum- Special Judge, in-charge, Boudh has submitted its report dated 25.09.2021, in which it is mentioned that the date of surrender of the appellant was fixed to 23.08.2021, but the appellant did not surrender at right time, rather a petition was filed through his counsel to surrender on the adjourned date and on hearing the petition, the Court rejected the same on 28.08.2021 and non-bailable warrant of arrest was issued against the appellant along with notice to the bailors and the case has been posted to 26.10.2021 for production of the appellant.

Since necessary steps have already been taken by the learned trial Court, put up this matter in the first week of November 2021.

Learned trial Court shall communicate to this Court immediately when the appellant would either surrender or arrested pursuant to the non-bailable warrant of arrest.

Copy of the order be communicated to the learned trial Court for compliance.

In future, whenever the appellant files any application for bail, this particular order should be brought to the notice of the Court.

(S.K. Sahoo)
Judge