



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1935 of 2026

*Nityananda Palka &
Anr.*

.....

Petitioner(s)

*Mr. Premraj Gouda,
Advocate*

-Versus-

State of Odisha

.....

Opposite Party (s)

Mr. Tej Kumar, ASC

CORAM:

DR. JUSTICE SANJEEB K PANIGRAHI

ORDER

22.06.2026

Order No.

01.

1. This matter is taken up through hybrid arrangement.
2. Heard learned counsel for the Petitioners and learned counsel for the State.
3. The petitioners have filed this CRLMC assailing the order dated 05.05.2026 passed by the learned Additional Sessions Judge-cum-Special Judge, Gunupur in connection with T.R Case No.29 of 2022, issuing N.B.W(A) against them.
4. Learned counsel for the Petitioners submits that the petitioners were earlier on bail vide order dated 30.09.2022 by the court below. They were regularly attending the court on each date of posting of the case. However, on 05.05.2026, the petitioners could not remain present in court as their conducting counsel did not take any step for



their attendance due to communication gap. Hence, the learned Additional Sessions Judge-cum-Special Judge, Gunupur issued N.B.W (A) against them. He further submits that the Petitioners undertakes that they will cooperate till the end of the trial and appear before the court on each date of posting without fail, failing which, fresh N.B.W (A) shall be issued against them.

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

6. In view of such facts and submissions made by the learned counsel for the Petitioners, this Court is inclined to allow the CRLMC. Accordingly, the order dated 05.05.2026 passed by the learned Additional Sessions Judge-cum-Special Judge, Gunupur in the aforesaid case, so far it relates to issuance of N.B.W(A) against the petitioners, are hereby quashed.

7. The Petitioners are 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 them on bail with some stringent conditions so as to enable them to appear before the court on each date of posting of the case. In addition, each of the Petitioner shall deposit a sum of Rs.500/- (Rupees Five Hundred only) as cost for violating the court's order. The said amount shall be deposited with the Bar Association Welfare



Fund, Gunupur for the purpose of utilizing the said amount for purchasing books for the Bar library. The copy of the receipt of the said deposit shall be presented before the court in *seisin* over the matter.

8. Accordingly, the CRLMC is disposed of.

(Dr. Sanjeeb K Panigrahi)
Judge

Gitanjali