



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.5266 of 2025

Sri Bijay Ray

.....

Petitioner

Represented by Adv. -
Dibakar Biswal

-versus-

State Of Orissa

.....

Opposite Party

Mr. C.M. Singh, ASC

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR
MOHAPATRA

ORDER
11.12.2025

Order No.

01. 1. This matter is taken up through Hybrid mode.
2. Heard learned counsel appearing for the Petitioner and learned
 counsel for the State-Opposite Party. Perused the materials placed
 before this Court.
3. The Petitioner is aggrieved by the order dated 26.09.2025 on
 which date the non-bailable warrant of arrest has been issued against
 him by the learned Additional District Judge, Balasore in S.T. Case
 No.21/289 of 2016. Learned counsel for the Petitioner submitted that
 initially the Petitioner was on bail since 27.10.2016, after which the
 Petitioner was appearing before the learned Court in seisin over the
 matter after he was released on bail. However, on one of the dates
 fixed for appearance, due to communication gap with his lawyer, the
 Petitioner was unable to appear since no step was taken to represent
 the petitioner by the counsel appearing for him. Thereafter, a non-
 bailable warrant of arrest was issued against the Petitioner. It was



further contended that for the laches on the part of the counsel, the party should not be allowed to suffer. Therefore, being aggrieved by such order the Petitioner has approached this Court with a prayer to quash order dated 26.09.2025.

4. On perusal of the record, this Court is of the view that the trial court has not committed any illegality, however, in the larger interests of justice and in order to provide another opportunity to the Petitioner, this Court deems it proper to set aside the order dated 26.09.2025 by the learned Additional District Judge, Balasore in S.T. Case No.21/289 of 2016, subject to payment of a cost of Rs.500/- by the Petitioner to the Advocates' Welfare Fund of Local Bar Association within fifteen days and furnishing money receipt thereof in proof of deposit. Further, it is directed that the Petitioner shall appear before the learned Additional District Judge, Balasore within ten days from today along with a copy of today's order and shall continue to participate in the proceeding without any further default. In the event, the Petitioner makes any further default in appearance, it is open to the Court in seisin over the matter to take necessary coercive steps against the Petitioner.

5. In such view of the matter, the CRLMC is allowed.

(Aditya Kumar Mohapatra)
Judge