

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.79 of 2022

Madanmohan Mukhi

....

Petitioner

Mr. Sangram Rath
Advocate

-versus-

State of Odisha

....

Opposite Party

Miss.S.Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

31.01.2022.

Order No.

01.

1. This matter is taken up through virtual mode.
2. Heard Mr. Sangram Rath, learned counsel for the Petitioner and Miss.S.Mishra, learned Addl. Standing Counsel for the State.
3. The Petitioner is in custody since 11th November, 2021 in connection with Baripada Town P.S. Case No.827/2021 corresponding to C.T. Case No.2153/2021 pending in the court of learned S.D.J.M., Baripada for the alleged commission of the offence under Section 420 of I.P.C.

4. The allegation against the Petitioner is that he utilized the A.T.M. card of the informant and withdrew Rs.9 to 10 lakhs from her account without her knowledge during the period from 2016 till 2021.

5. It is submitted by the learned counsel for the Petitioner that the Petitioner has been implicated in the case entirely on suspicion and without any material against him. It is further submitted that charge sheet has already been submitted in the mean time.

6. Learned Addl. Standing Counsel for the State, on the other hand, has opposed the prayer for bail by submitting that the amount of money taken away by the Petitioner is huge being to the tune of Rs.10 lakhs.

7. Having regard to the submissions made, the materials on record, the period of detention already undergone and the fact that charge sheet has already been submitted, I am inclined to allow the prayer for bail.

8. Let the Petitioner be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case including the following conditions:-

- (i) he shall deposit a sum of Rs.5,00,000/- (Rupees five lakhs) in the court below, which shall be kept in fixed deposit in any Nationalised

Bank being pledged to the court in seisin over the matter for a period of one year,

(ii) he shall appear before the trial court on each date of posting of the case without fail, and

(iii) he shall appear before the Baripada Town P.S. once every month for a period of six months.

9. The BLAPL is disposed of.

10. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High court's website, at par with certified copy, subject to attestation by the concerned Advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020, modified by Notice No.4798, dated 15th April, 2021 and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

AKB

(Sashikanta Mishra)
Judge