

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMA No. 2 of 2022

A. Ashu @ Edalu Esu ... **Petitioner**

Mr. U.C. Jena, Advocate

- Versus -

State of Odisha ... **Opposite Party**

Mr. A. Pradhan,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

10.02.2022

Order No.

1.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Addl. Standing Counsel for the State.
3. The petitioner is aggrieved by the conditions imposed by learned Addl. Sessions Judge, Bhadrak while allowing the application filed by the petitioner-accused for bail.
4. By order dated 28.10.2021 passed in Bail Application No. 1176 of 2021, learned Addl. Sessions Judge, Bhadrak granted bail, inter alia, passing the following order.

“Let, the accused-petitioner be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties (one surety must be the direct blood relation of the accused and another surety must be a local person) each for the like amount to the satisfaction of the learned S.D.J.M., Bhadrak subject to deposit cash security of Rs.20,000/- (Rupees twenty thousand) with conditions that –xxxxxxxxxxxx”

5. It is submitted by learned counsel for the petitioner that the condition of deposit of cash of Rs.20,000/- is beyond the financial capacity of the petitioner as he belongs to the BPL

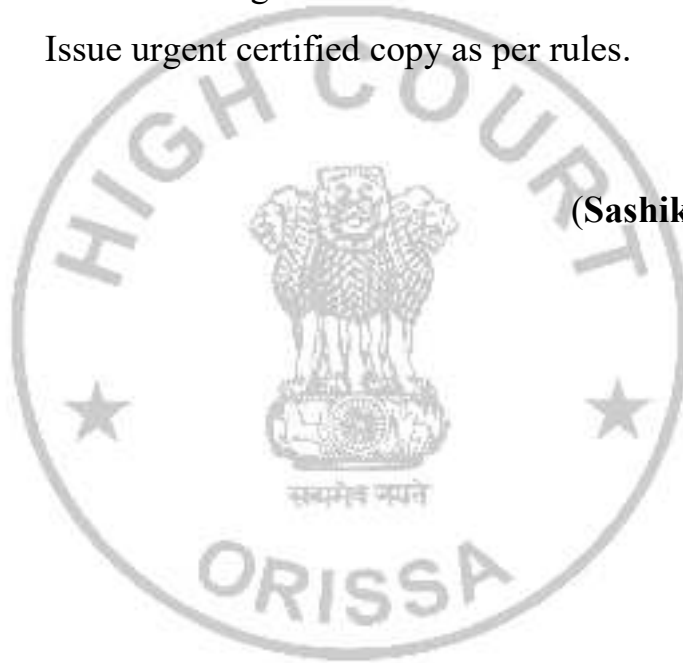
category and has practically no source of income. As such, it is prayed to modify the condition by some other suitable condition as the Court may deem fit.

6. Learned Addl. Standing Counsel has fairly submitted that considering the financial condition of the petitioner, the Court may pass appropriate order.

7. Having regard to the submissions as above, the CRLMA is allowed. The impugned order is modified by waving the condition of deposit of cash security of Rs.20,000/- with all other conditions remaining intact.

8. Issue urgent certified copy as per rules.

A.K. Rana



(Sashikanta Mishra)
Judge