

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.776 of 2021

Smruti Ranjan Mohanty

Petitioner

Mr. Ajaya Kumar Moharana, Adv.

-versus-

State of Odisha

Opposite Parties

Mr. Sunil Mishra, ASC

(for C.T. & GST)

And

BLAPL No.6687 of 2021

Rajeev Mishra

Petitioner

Mr. Gouri Mohan Rath, Adv.

-versus-

State of Odisha

Opposite Parties

Mr. Sunil Mishra, ASC

(for C.T. & GST)

CORAM:

MR. JUSTICE S.K. PANIGRAHI

ORDER

18.02.2022

Order
No.

04.

1. Both the matters are taken up through hybrid arrangement.
2. Mr. *Ajaya Kumar Moharana*, learned counsel for the petitioner in BLAPL No.776 of 2021 and Mr. Gouri Mohan Rath, learned counsel for the petitioner in BLAPL No.6687 of 2021 and Mr. Sunil Mishra, learned Standing Counsel for C.T. and G.S.T. are present. Judgment prepared in separate sheets is delivered and pronounced in open Court in the presence of learned counsels for the parties and the order is passed accordingly as follows:-
3. In view of the above discussion, it is directed that the Petitioners in both the BLAPLs be released on bail by the court in *seisin* over the matter in the aforesaid case on such terms and conditions as deemed fit and proper by him/ her with the following conditions:
 - (i) The Petitioners shall co-operate with the trial and shall not seek unnecessary adjournments on frivolous grounds to protract the trial;

(ii) The Petitioners shall not directly or indirectly allure or make any inducement, threat or promise to the prosecution witnesses so as to dissuade them from disclosing truth before the Court;

(iii) In case of their involvement in any other criminal activities or breach of any other aforesaid conditions, the bail granted in this case may also be cancelled.

(iv) The Petitioners shall submit their passports, if any, before the learned trial court and shall not leave India without prior permission of this Court.

(v) Any involvement in similar offences of under the GST Act will entail cancellation of the bail.

4. With the above directions the instant bail applications are allowed. However, expression of any opinion hereinbefore may not be treated as a view on the merits of the case and that the assessment of the tax liability of the Petitioners shall be carried out strictly in accordance with the applicable provisions of applicable law.

5. The bail applications are, accordingly, disposed of along with any pending applications (if any).

6. Urgent certified copy of this order be granted on proper application.

(S.K. Panigrahi)
Judge

BJ