

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.1775 of 2022

Sawan Kumar Rout

.... Petitioner

Mr. P.K.Bhuyan,
Advocate

-versus-

State of Odisha

.... Opposite Party

Mr.P.Tripatry
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

21.3.2022.

Order No.

01.

1. This matter is taken up through virtual mode.
2. Heard Mr. P.K.Bhuyan, learned counsel for the Petitioner and Mr.P. Tripathy, learned Addl. Standing Counsel for the State.
3. The petitioner is in custody since 5th February, 2022 in connection with Jagatpur P.S. Case No.15/2022 corresponding to G.R. Case No.69/2022 pending in the court of learned J.M.F.C.(R), Cuttack for the alleged commission of the offence under Sections 420/467/468 of I.P.C.

4. It is submitted that though the allegation made in the F.I.R. is that the Petitioner received Rs.3,00,000/- from the informant, yet the same is false as the Petitioner admits to have received only Rs.2,00,000/-. It is further submitted that out of the said amount of Rs.2,00,000/-, he has already refunded Rs.1,00,000/- and has to pay the balance of Rs.1,00,000/-, but because of his financial constraints, he is unable to pay.

5. Learned Addl. Standing Counsel has opposed the prayer for bail by submitting that the liability of the Petitioner should first be given enforce before considering his prayer for bail.

6. Considering the submissions above and the fact that the Petitioner is ready and willing to pay the balance amount, which according to him is Rs.1,00,000/-(Rupees One Lakh), I am inclined to allow the prayer for bail.

7. 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 condition that he shall deposit a sum of Rs.1,00,000/-(Rupees One Lakh) in the court below or pay the same to the Petitioner and furnish the proof thereof in the court below. The said amount shall be paid in five installments beginning from the month of April, 2022. Such payment shall be without prejudiced to the case of both parties. In case of default on the part of the Petitioner, it shall be open to the court below to pass necessary orders to take him custody again.

8. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

