

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3714 of 2022

Gupteswar Pattnayak

....

Petitioner

Mr. S.S. Ray(2), Adv.

- Versus -

State of Odisha

.... **Opposite Party**

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

13.10.2022

Order No.

9.

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 in custody since 27.11.2021 in connection with Badabazar P.S. Case No.240 of 2021 corresponding to G.R. Case No.2099 of 2021 pending in the Court of learned S.D.J.M., Berhampur for the alleged commission of offence under Sections 120(B)/419/420/465/467/468/471/34 of IPC.
4. The prosecution case is that the informant, who wanted a loan from the Andhra Bank, was introduced to the Manager by the petitioner. Accordingly, a loan of Rs.10,00,000/- was sanctioned. Ultimately, when the informant wanted some more amount for construction of his house and visited the Branch office in connection therewith, he came to know that a sum of Rs.24 lakhs has been shown as disbursed as loan in his name, though not a single paisa of the said amount had been transmitted to his account. In course of investigation, the

complicity of the petitioner was established and it was revealed that he had transmitted the same amount to the account of his brother-in-law.

5. It is submitted by learned State counsel that the account of the brother-in-law of the petitioner has in the meantime been frozen. Thus, the amount standing therein has been secured.

6. Considering the above fact, the period of detention of the petitioner in custody and the fact that the charge sheet has already been submitted, I am inclined to allow the prayer for bail. Let the petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that he shall furnish cash security of Rs.5,00,000/- (Rupees Five Lakhs only) and out of the said Rs.5 Lakhs, the petitioner shall pay Rs.3,00,000/- (Rupees Three Lakhs) at the first instance before release and the remaining amount shall be paid by him in monthly equal installments for a period of eight months. Further he shall appear before the trial court below on each date of posting of the case without fail.

7. BLAPL is accordingly disposed of.

8. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana