

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3921 of 2022

Arun Ghosh

..... Petitioner
Mr. S.R. Mulia, Advocate

-versus-

State of Odisha

..... Opposite Party
Mr. K.K. Nayak, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

Order No.

ORDER
18.05.2022

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner and learned counsel for the State. Perused the F.I.R., case diary and other relevant documents on record.
3. This is an application under Section 439 of the Criminal Procedure Code.
4. The petitioner is an accused in C.T. Case No.2128 of 2022 arising out of Cyber Crime and Economic P.S. Case No.16 of 2022 pending in the court of learned S.D.J.M., Bhubaneswar for commission of offence punishable under Sections 419/420/467/468/471/472/473/474/34, I.P.C. read with Sections 66-C/66-D of the I.T. Act.
5. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in this case and he is in custody since April, 2022 and he does not have any criminal

antecedent of similar nature.

6. Mr. Nayak, learned Additional Standing Counsel for the State vehemently, opposes the prayer for bail of the petitioner and submits that the petitioner is likely to influence the prosecution witnesses in the event he is released on bail.

7. In course of hearing, learned counsel for the petitioner on instruction undertakes to return a sum of Rs.75,600/-(rupees seventy five thousand six hundred) to the informant.

8. Having heard learned counsel for the parties and considering the allegations made against the petitioner and period of detention of the petitioner, it is directed that let the petitioner be released on bail on furnishing a bail bond of Rs.30,000/- (rupees thirty thousand) each with two local solvent sureties each for the like amount to the satisfaction of the learned court in seisin over the matter subject to conditions that:-

- I. The petitioner shall not be involved in any offence of similar nature;
- II. he shall not tamper with the prosecution evidence or try to threaten or influence the witnesses in any manner whatsoever; and
- III. he shall not make any default in attending the court during trial on each date.

Violation of any of the terms and conditions shall entail cancellation of bail.

9. It is further directed that the petitioner shall par a sum of Rs.75,600/-(rupees seventy five thousand six hundred) within two months as agreed and undertaken by the petitioner failing which, this

order shall stand automatically revoked and the learned court below is at liberty to issue N.B.W. against the petitioner forthwith.

10. It is open for the court in seisin over the matter to impose other conditions as may be deemed just and proper.

11. The Bail Application is accordingly disposed of.

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

Jagabandhu

