

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3984 of 2022

Pratap Sahu @ Kalia* *Petitioner

Mr. A.K. Nath, Advocate

-versus-

State of Odisha* *Opp. Party

Mr. P.B. Tripathy

Addl. Standing Counsel

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
11.08.2023**

I.A. No.2301 of 2022

Order No.

05. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

This is an application for modification of the order dated 16.11.2022.

Learned counsel for the petitioner submitted that since the petitioner is unable to furnish cash security of Rs.1,00,000/- (rupees one lakh), in spite of the bail order dated 16.11.2022, he is unable to come out of the jail and therefore, the cash security amount may be reduced and modified.

Learned counsel for the State opposed the prayer made and contended that it is a case under

section 302 of the Indian Penal Code and twice the petitioner has absconded for which the trial is getting delayed.

Considering the submissions made by the learned counsel for the respective parties and the fact that in spite of the bail order dated 16.11.2022, the petitioner is unable to come out of the jail since he is unable to furnish cash security amount of Rs.1,00,000/- (rupees one lakh), the order dated 16.11.2022 is modified to the extent that at the time of release on bail, the petitioner shall deposit cash security of Rs.50,000/- (rupees fifty thousand) before the learned trial Court and so far as the balance amount of Rs.50,000/- (rupees fifty thousand) is concerned, he shall give an undertaking to deposit the same in five equal monthly installments and the deposit of the first instalment shall commence a month after his release on bail.

The rest part of the order dated 16.11.2022 remains unaltered.

I.A. is accordingly disposed of.

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

Signature Not Verified

Digitally Signed
Signed by: RABINDRA KUMAR MISHRA
Reason: Authentication
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 11-Aug-2023 18:39:24



(S.K. Sahoo)
Judge